



City of Sierra Madre

Office of the City Clerk

232 W. Sierra Madre Blvd.,

Sierra Madre, CA

(626) 355-7135

THE BROWN ACT PROVIDES THE PUBLIC WITH
AN OPPORTUNITY TO MAKE PUBLIC COMMENTS
AT ANY PUBLIC MEETING.

THE FOLLOWING ARE COMMENTS RECEIVED
FOR THIS MEETING

Joseph Nosrat

Subject: FW: Home Occupation

From: Joe Armstrong [REDACTED]
Sent: Thursday, April 18, 2024 11:00 AM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: Home Occupation

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

To the Planning Commission and City Council.

I would like to express my concerns over the continuation of discussion regarding Home Occupations, Temporary Use Permits, and the repurpose of Historical Structures in R1 zoned areas of town.

This is a general statement without jumping through all the legalese of each code and section for each item.

I would expect that the codes would be written in a way to protect the character of the neighborhood and the residents that live there instead of providing work arounds and loopholes that can be used to create a business or temporary use permits that are detrimental to the surrounding neighbors.

It seems as though; the code does provide a good basis for the protection of the neighborhood but then allows for discretions that cannot be enforced which makes the codes almost mute.

For example, in the code the business shouldn't be allowed if it does not have off street parking however under a discretion review that can be changed. On my street ten extra cars can impede two way traffic. I have had to deal with trying to get out of my driveway or down the street when there are extra cars that are not normally there.

I would expect that a home business is the type in which the owner would **occasionally have a client over**. I think that the code should provide more examples of types of businesses that shouldn't be allowed. Any business that would have multiple people at a time, event spaces, yoga classes, art studios, rental structures that are not AirB&B's etc.

I live on Olive Ave and have dealt with the Lavender Marketplace continually working around the rules or using temporary use permits to condone their existence. The traffic, noise, and other issues that we have dealt with over the past several years violates the spirit of the of what the home business was intended to be.

Just recently I have seen groups people walking from over a block away to attend an event to hide the traffic that this business is creating, however, in doing so they just spread the impact to other neighborhoods.

My last item concerns the Adaptive reuse of a historic landmark. In the code the Adaptive reuse of a historic landmark is the reuse of the historic structure, not other non-historic structures on the property. They also shouldn't be allowed to double dip and use the Mills act and still be able to repurpose itself as a business.

Please protect R1 and limit businesses in these areas.

Thank you,

Joe Armstrong

Joseph Nosrat

Subject: FW: Comment on TUP

From: Rett Bren [REDACTED]
Sent: Friday, April 5, 2024 1:11 PM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: Comment on TUP

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear City of Sierra Madre'

In regards to the TUP.

1. The meeting audio is really bad online during meetings. Can this be corrected? It has been a problem since last year at this time. Not sure what changed.
2. I suggest only 4 TUPs per residence or parcel. As for a non-profit, I think a reduction in the permit up to 2x otherwise as one commissioner stated Sierra Madre will be the go to location just for non-profits. We don't want another film debacle where the rules were so lax that film crews came in and did as they pleased because they could be disruptive without enforcement or consequences.

I live in an R-1 neighborhood. I pay dearly for living here after many years of living in mixed use zones. I heard the city had a firm policy on keeping the village atmosphere in their neighborhoods. I have bought into this dream.

I appreciate the concern over the one wedding place and how nice the family might be but I think they just aren't getting their impact. As Alverno has demonstrated, no weddings should be allowed in or among an R-1 neighborhood. That is a CUP that needed serious reduction in use. A Mills act or historic designation property should have to prove they are actually using the revenue to fix up property. The Villa rentals show Alverno uses their profits to keep their tuition cheap. That is of no benefit except to themselves. I was told I would be living next to a school not a party business on the weekends.

This isn't about one wedding business. I for one feel for the neighbors next to the historic home. I live on the perimeter of Alverno. The wedding noise almost every weekend is unbelievable. There is always a new problem with the traffic that the city never considered when allowing this.

There was a lot of talk about how beautiful the home was inside but these are gatherings outside of the home. Wedding music is loud, our home vibrates from the base, and the guests get louder as the drinking increases. I am not for allowing the abuse or loopholes in the TUP that runs amok. Please stop allowing for businesses in and next to r-1 neighborhoods that bring excessive traffic and noise. That is what the business district is for. I have a business with a lot of non-profit clients. I have to rent office and warehouse space for it. I could conceivably use my garage and home. I recognize it isn't appropriate to do so no matter how cool it is for me to stay home and work 24/7 when I am in high season. Alverno rentals are enough of a problem for myself and my neighbors.

There are options for businesses, temporary or permanent. Just because someone has a home with some space they should not eye it as a potential temporary business that impedes on the neighbors goodwill and peace.

There are many, many other space options that need not make it an r-1 neighborhood problem.

The city needs to stop making exceptions to the rules just because a place has nice owners, or they claim to give non-profits free use or claim they benefit the community without providing any data to support the claim.

Yours, R. Bren

Joseph Nosrat

Subject: FW: Alverno CUP annual review and modular extension 4/18

From: Ms Buchanan [REDACTED]
Sent: Wednesday, April 17, 2024 5:31 PM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: Alverno CUP annual review and modular extension 4/18

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Planning Commissioners,

I wanted to weigh in. I will try to make this short and sweet. As far as the school cup these items are of concern.

- Modularity. The city council already weighed in and I am pretty sure they were not open to a 10 year extension. Councilmember Krebbs said code enforcement might not show up at 15 months and a minute but they don't see the modularity being permitted again. Alverno's request is silly. They have tons of space. They need to teach within their means and they are pretty nice facilities to boot. They already have 1 art room and plans for over 2000 sq ft for another, plus besides classes they talked about the mansion as a flex option.
- Whistles Can anything be done about the whistles used by teachers not during the games?
- Traffic Can the police come around during the games? There are cars literally parked on the curb sticking out at Michillinda and Grand View. I nearly got hit coming around the corner as I had to avoid the cars
- Enlarge the parking lot. Why is there a literal crowd of people standing on Grand View to watch the game and yell? Why don't the coaches invite them inside the school grounds? It's annoying at my dinner to have to listen to this
- The field. I am not right by the field but I recall the field was for Alverno and the city girls softball. Not La Salle, St Rita's and the other school playing football. Their games were incredibly noisier than the tk-8. They have no sound curtain
- Where is the noise study for the sport courts? I don't trust Alverno's noise consultant after it was demonstrated he fudged the numbers to make the noise at Alverno less than it is. Still Alverno should have given it to my friends so they could dissect it.
- I think moving the sport courts to the baseball area is a great idea. It is already deemed sport worthy. The courts are planned to close to the Villa. Move the cute playground down there instead.

I hope it's been a great year for the students at Alverno. I look forward to seeing this year's student theater production and working out these issues.

Thanks
Ms. Buchanan

Joseph Nosrat

Subject: FW: Annual Review Alverno Portables Public Comment April 18

From: John Bull [REDACTED]
Sent: Wednesday, April 17, 2024 11:39 AM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: Annual Review Alverno Portables Public Comment April 18

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear City of Sierra Madre,

I am having trouble sending to this email. Keeps getting bounced? I have asked my friend will to send for me. If this goes through then just deliver this to the commissioners

I'd like to make a few comments on the sign I just saw posted on the Alverno school gate. It says "Notice of Pending Project". What exactly is that supposed to mean to us common people? Well, knowing the school's history and their shenanigans with the neighbors, I looked it up on the city's website and WOW I'm shocked. I can't believe the school wants to extend the removal of those portables on Michillinda for a darn decade! I really thought they'd be gone once the high school closed, but that didn't seem to happen. I haven't seen any kids in there for a long while. I think we all think those pre-fab classrooms are horrible and don't blend in with the rest of the school and the homes in the neighborhood. I want them out!

I remember Planning Commissioner Speer saying not so long ago that Alverno has the largest campus but serves the least kids. He also said they use the most water, but that's not what I'm concerned with today. I did a bit of research based on what Mr. Speer had said and I believe I have a pretty good rationale as to why Alverno doesn't need those portables. I would assume Alverno administration is saying they need to keep them for the kid's educational programs and what not, but I have to assume they will rent them out to make additional income, but I'm just speculating.

I like to think I'm a fairly good researcher and believe my data is reliable. Feel free to fact check the information contained in this letter. Here's what I learned. I took a look at available data from the Assessor's Office and the Alverno property is listed as having **49,720 sq. ft.** and the lot is 526,889 sq. ft., or 12.096 acres. This does not include the 3 portables in question. I would assume that not all of the square footage is usable space, but for the sake of argument, I'll leave it as what is listed in tax records.

I searched the California Department of Education and found that the department recommends that the size of schools be calculated at 55-70 square feet per pupil for kindergarten through grade six and at 75-100 square feet per pupil for grades seven and eight. (<https://www.cde.ca.gov/ls/fa/sf/guideschoolsite.asp#:~:text=Greene%20School%20Facilities%20Act%20of,for%20grades%20seven%20and%20eight%3B>). "Square footage standards, unlike a per-student dollar amount, are not subject to inflation. A square foot in 1947 remains a square foot in present time." The national average for California is 73 sq. ft. for elementary school students and 80 sq. ft. for middle school students. So, let's just say Alverno has 75% k-6th kids and 25% 7th-8th kids. Alverno has had a maximum enrollment of approximately 265 kids, so I'll go with that, and I'm being generous. So, the calculations would be as follows: 199 k-6th kids x 73 sq. ft. = 14,527 and 66 7th - 8th kids x 80 sq. ft. = 5,280 for a TOTAL of **15,100 sq. ft.** Alverno has 49,720 sq. ft. of space and only needs 15,100 sq. ft. of classroom space, so they absolutely have no need for those portables, particularly if they are an eyesore to the neighborhood and Alverno has already exhausted all of their extensions! With the current number of students, **Alverno has 37,620 sq. ft. more space than the average school in California.** So, let's say Alverno is at full capacity with 400 students, again, 75% k-6th kids and 25% 7th-8th kids. Calculations of the school at full capacity would be as follows: 300 k-6th kids x 73 sq. ft. = 21,900 and 100 7th - 8th kids x 80 sq. ft. = 8,000 for a TOTAL of **29,900 sq. ft.** which leaves Alverno with **19,820 sq. ft. more than the average school in California even at full capacity (400 students).** It doesn't take a genius to figure out that Alverno has no real need for those portables!

Just doing the math!
John Bull
Sierra Madre Proud

Joseph Nosrat

Subject: FW: Public Comment Amendments to TUPS

-----Original Message-----

From: Alice Clark

Sent: Tuesday, April 16, 2024 12:15 PM

To: Joshua Wolf <jwolf@sierramadrea.gov>

Cc: Maria Decker

Subject: Public Comment Amendments to TUPS

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Please close the loophole in the TUPS in order to keep residential areas residential, not commercial. I have heard complaints about this business for years, so I am glad I don't live close to the neighborhood. Likewise, I do not wish for a commercial business to move into my neighborhood, East Laurel.

Alice Clark

Joseph Nosrat

Subject: FW: annual review and 1st amendment to the conditional use permit for alverno heights academy

From: Suzie Cue [REDACTED]

Sent: Monday, April 15, 2024 9:19 PM

To: Public Comment <publiccomment@cityofsierramadre.com>

Subject: annual review and 1st amendment to the conditional use permit for alverno heights academy

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Please accept this as my public comment. I don't think I can say this in 3 minutes. I feel as if living next to Alverno is always a compromise on my part with no reciprocation. They violate their conditions and then expand, change the conditions, and I am asked to accept more. Their board says this or that needs to be sustaining, well what about sustaining my mental health?

The La Salle girls softball is crazy loud. I don't recall Alverno High School softball ever having nearly as many crowds or yelling like what I am now experiencing when La Salle is playing ball. Alverno High girls yelled but something was different. Perhaps it is all the many, many trees that have been cut down and not replaced? Councilmember Krebs nailed it after attending the Sierra Madre sports parades - the girls softball teams can really scream, they are LOUD!! Yes they do and I do not live directly by the field.

The Alverno field has no sound wall. The future sport courts do not have a sound wall. They need one. My friend who lives by La Salle says they are going to put in a 10-12 foot high sound dampening wall for them. I feel Alverno has somehow gotten away with the environmental requirements La Salle had to do. Vincent gave Alverno a pass by trying to equate the 2011 environmental studies as being applicable to the 2021 expansion. I strongly disagree after having a few years next to the K-8.

I have friends who could hear the St. Rita football game 3 streets away when they got to use the field for free I am told. That was another event that shouldn't have happened. Loaning out the field is a no - no yet since January La Salle is getting to use it. I smell collusion. Alverno is gaining a benefit even if they say it is a free loan. I am getting headaches. This type of loophole needs closing.

The modulars have to go. They are taking up space for the gym. Gabe and Vincent both said the playground was temporary but it looks pretty permanent. It looks like the school is saying they don't want to build the gym they said they would bring sports like basketball inside. The modulars give the school more excuses as to why they can't build the gym or expand the parking lot.

The after school sports courts need to be built soon. The field is already flat and where me and my friends used to play basketball. So why not replace the softball field with sport courts? It's already a designated multi sport field.

It would give me some relief if the city required the sport courts to replace the defunct high school girls softball field. Then I would agree to moving the modulars where they want the sport courts. That would be a good sound wall.

I would like to say to the principal who called people like me who drive on Highland lazy that I live on Highland. I can't use other streets to leave or come home. I would like it if your parents would stop tailgating and picking their

kids up on my street to avoid the que. Thank you for the opportunity to comment on Alverno's permit.
Suzie C. on Highland

Joseph Nosrat

Subject: FW: PUBLIC COMMENT: Amendments to Temporary Use Permits

From: Maria Decker [REDACTED]
Sent: Thursday, April 18, 2024 2:35 PM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: PUBLIC COMMENT: Amendments to Temporary Use Permits

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Planning Commission,

I appreciate that the city has accepted the task to reevaluate the Temporary Use Permit and Home Occupation Permit Ordinances to bring them in line with the desired result. I would like to see the Temporary Use Permit restricted to non-commercial uses in the residential zone. I would also like to see the Home Occupation Permit not allow any business operation outside a structure.

As a native Sierra Madrean, I value our peaceful neighborhoods, and strong community. Unfortunately, the last few years, the residents have endured the negative impacts from Lavender Marketplace's outdoor event and workshop business operating in our R-1 residential zone. I have a unique perspective on this situation because my rental property on Mira Monte is located on the east side of Lavender Marketplace. Besides receiving complaints from my tenants about the activities on the other side of the fence, my husband and I have seen the impacts ourselves. Recently, the activity has ramped up. I see activity during the week in addition to the weekends. The Brandstaters have limited activity to "small gatherings" to twenty-five people or less. It sounds wonderful, but it has not changed the dynamic. These small gatherings do not blend into the normal activity in the neighborhood. Extra cars park on the streets. They conduct their activities outdoors, so the noise carries because of the slope of our properties. Our beautiful, old neighborhoods are not set up for this type of business. An outdoor event and workshop business should not operate on a residential property surrounded by residential homes.

I am also concerned that if the ordinances are not revised, we will see similar businesses in other residential sections.

Thank you.

Regards,
Maria Decker

[REDACTED]

Joseph Nosrat

Subject: FW: Lavender Marketplace

From: Paul F. Dodwell [REDACTED]

Sent: Monday, April 15, 2024 7:43 AM

To: Joshua Wolf <jwolf@sierramadreca.gov>

Subject: Lavender Marketplace

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Mr. Wolf and Members of the City of Sierra Madre Planning Commission,

Lavender Marketplace is operating a business at 89 Olive Avenue in our residential area in contravention of the city's ordinances. When we complained about the traffic and parking problems on Olive Avenue, the response of Lavender Marketplace was just to shift that problem to other streets transferring the burden of those annoyances to those residents. Their business operation is a detriment to our quiet enjoyment of a city zone that is meant for residents to raise their families safely, to relax and to find a place to decompress from the stresses and hustle bustle of activity in a business or industrial area. It seems that every time the city revises and clarifies the wording of the ordinances, Lavender Marketplace finds a way to abuse the permitted activities.

We strongly urge the members of the Planning Commission to continue to work to find a way to return this residential zone to its proper use and to provide a basis for the City's Enforcement Division to act to maintain this status.

Yours truly,

Paul Dodwell
Natthanee Dodwell
[REDACTED]
Sierra Madre

Joseph Nosrat

Subject: FW: 4/18 review of Alverno CUP discussion

From: Martin Ericks [REDACTED]
Sent: Tuesday, April 16, 2024 7:34 PM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: 4/18 review of Alverno CUP discussion

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

I would like the following submitted to public comment. I have not heard back from the city regarding this matter which is a condition of Alverno's permit.

Subject: Request to enforce Alverno School condition #3

Date: Feb 27, 2024 at 6:17 PM

To: "planningcommission@cityofsierramadre.com" <planningcommission@cityofsierramadre.com>, JReynoso@CityofSierraMadre.Com

Cc: VGonzalez@cityofsierramadre.com

Dear Mr. Reynosa, and City of Sierra Madre officials,
Please stop the use of Alverno School's softball fields by La Salle. It is in violation of one or both of Alverno's CUPs. Some neighbors have inquired with Alverno about La Salle using the softball field. I am not thrilled with what they were told by Ms. Bertaloni.

If you are not the person or place to address this matter then please tell me who or where I should address this problem instead.

1. La Salle should not be using the softball field at Alverno. Nor should St. Rita for football, or their basketball courts by any other school UNLESS they are playing against Alverno. That is how Ken Farfsing explained to the city in a public Alverno meeting last year.

#3. Prohibit renting the soccer/softball field to sports groups not associated with Alverno Heights Academy, such as American Youth Soccer Organization (AYSO), or for adult soccer.

2. It is offensive for Alverno to tell neighbors they can do this because:
Alverno is not renting the field. - Ms. Bertaloni

-It doesn't matter. Condition #3 never intended ANY USE BY OTHER SCHOOLS or GROUPS OTHER THAN THOSE LISTED.

3. *La Salle is a Sierra Madre School - Ms. Bertaloni*

-NO La Salle is not a Sierra Madre school just because it located on Sierra Madre Boulevard. It is not free. Not everyone can go there. My kids can't attend unless I fork over \$28,000 each, not to mention books, uniforms, sports fees, AP class fees, and other donations.

"La Salle College Preparatory is a private, Catholic college preparatory high school founded and run by the Institute of the Brothers of the Christian Schools in Pasadena, California and located in the Roman Catholic Archdiocese of Los Angeles."

4. *Half the La Salle students are Sierra Madre students attending La Salle.- Ms. Bertaloni*

-That is a laugh. It still wouldn't make it OK for allowing this use - free, for rent or some other not for pay play which I strongly suspect could be going on.

Good luck to La Salle on their major expansion. It is impressive and so is the tuition they command for those facilities. I am glad my family does not live next to it in Pasadena. We are Sierra Madre neighbors of Alverno that understand there will be use and noise. We are sick to death of Alverno's expansion promises, many public meetings and then every new infraction we get a twisted reasoning for violations just like the Villa rentals. We are tired of having to stay on top of Alverno when they intrude on my home and what my family cumulatively lives with.

Alverno chose to get rid of their fine high school so we have a new k-8 school with more noise, traffic and outside use than ever before. La Salle chose to delete their softball field so why are we having to now put up with the additional tons of cars, the extra non-Alverno noise, rude attendees, trash and even giant busses for the visiting teams taking over our neighborhood?

Please stop this use and sanction Alverno for this flagrant misuse.

I suggest they turn the Alverno softball field back into the basketball and volleyball courts like they use to be for the current Alverno students.

Thoughtfully submitted for your consideration,
Martin Ericks
Sierra Madre resident

Joseph Nosrat

Subject: FW: April 18 Alverno School CUP review and request to extend portables

From: Martin Ericks [REDACTED]

Sent: Wednesday, April 17, 2024 3:12 PM

To: Public Comment <publiccomment@cityofsierramadre.com>

Subject: April 18 Alverno School CUP review and request to extend portables

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

To the Planning Commission:

I hope I am not too late to comment on the annual review of Alverno's CUP. My list is not written in order of importance. I think my issues are clear that these are institutional and performance issues. They are about a failure to do what the school said it would and the failure to provide the appropriate facilities they have been approved to build. The kids deserve better.

A CUP is only as good as it's language, it's adherence to it and enforcement when violated. All three are issues with the Alverno CUP for 2023/24. After a year of the CUP I feel the language needs to be more specific or as the city attorney says - strengthened. I wanted to appeal the planning commission's 2022 decision last year but \$9000 to file was a bit steep. I watched the city council meetings very closely. I recall Alverno's attorney argued at length that the CUP language needn't be so specific during the de novo city council meeting.. It's been a year of the new CUP and apparently Alverno does need the language of the CUP to be cut and dried.

1. Alter the language regarding the field to say WHO can use the field. No giving away for free as a way to get around the condition and why this condition was put in the permit in the first place. I have no issue with Alverno using their field but it is a lot of use so no one else should be adding to the cumulative usage.

Please define what is "City-requested use" in the condition

Add the mitigation language too. It is missing but can be found in Vincent's original staff report. No amplification or lighting on the field just like the sport courts. I want the language specified in the CUP #3 regarding the field. My car was hit by a flying La Salle softball

2. Better yet, end the controversy. Move the sport courts to the decommissioned softball field. The kids should not be restricted to such a small portion of their field like they are now. They pay for the use in their tuition, give it all to them.

3. Does #10d really need to add "snacking" along with the no lunch? The school is saying they are not lunching but snacking. I can validate along with others who have also seen kids eating at the picnic tables on the parking lot by Michillinda. I drive by daily. I can see them. Picnic tables are for eating in my world. Alverno's noise consultant testified that the lunch and play time was a very noisy activity. Alverno's attorney said the school agreed to changing lunch(snack) location. It is part of the CUP and now the school is digging in over a loophole. This is crazy making. The school said once the high school was off campus all lunch and eating periods would move within the campus and off the parking lot. Why are picnic tables for eating even put in this location? They have bleachers they don't need picnic tables if there is to be no eating or hanging out in this location.

3. Alverno needs to deal with the parkway moles and weeds along Grandview and upper part of Wilson. It's not only unsightly but the mole runs a tripping hazard. My yard is now being invaded. It used to be spelled out in the CUP that it was Alverno's responsibility.

4. There is a whole section that has been removed from the proposed rewrite of the CUP missing. I compared the two documents - the current cup and the proposed.

5. My comments on the permit review are not as technical as John's but the portables have got to go. Or keep them and trigger an environment review. I am not the only neighbor who feel the portables should not have been put on the multi-purpose gym and parking lot footprint. The school attorney said she had a problem with temporary uses in a CUP. No 10 year TUP for the portables.

6. I would like to see the campus start parking their visitors and parents in what they call the meadow on the south side. They allow film crew cars and trucks to park there. It's a bunch of weeds anyway.
 7. Build out the parking lot by Michillinda. Get the event parking, sport spectators and their busses onto the campus.
 8. The portables have to go and make room for the parking and gym building. City council discussed how long they had been on site and said they have to go. I think the wording was that there will be no incentive to do additional expansion if the portables sit in that footprint.
 7. The Michillinda parking lot is now used for pick up and drop off not a drive through The approved plan was for a designated drop off along the interior drive going down by the Villa. Parents should not be stopping in the parking lot. It leaves many cars idling all the way down Michillinda. This is inefficient. There is an approved drive through plan the school sent out. I do not see anything has changed with the drive through in the school documents online.
Not supposed to use forms of amplification. I have heard the use of walkie talkies.
 8. Can we change the review to every 2 years? It's non-stop having to respond to this school infractions. I don't want all my tax dollars going to this situation. The city staff has other business to attend to as well.
 9. Every new administration needs help understanding the conditional use permit and why it's in existence. Tired of hearing the school staff argue with residents on Nextdoor. They don't think they need to follow it because other schools don't. Mandate a school wide staff meeting to review it and they sign something that says they will abide by it.
 10. The whistles teachers use on the playground are unreasonably loud. They are on the playground with the kids aren't they? They don't need to yell or use whistles. Move the playground away from homes. The school needs the space for the parking lot and gym
 11. The new proposal is missing the MND section. Please restore. I think the portions of the MND should be put in the corresponding conditions or referenced and then attached at the end of the document.
 - A. Approval of CUP ADOPTION OF MITIGATED NEGATIVEbottom of pg 37 on current in play CUP. In the proposal
 - B. has become A. The MND is very important
- Yours,
W. Serrano
Sierra Madre Resident

Joseph Nosrat

Subject: FW: For Tonight's Planning Commission Meeting: Our Thoughts on the Lavender Marketplace Events

From: Sydney G. [REDACTED]

Sent: Wednesday, April 17, 2024 11:08 PM

To: Joshua Wolf <jwolf@sierramadreca.gov>

Cc: Michael Diggin [REDACTED]; maria decker [REDACTED]

Subject: For Tonight's Planning Commission Meeting: Our Thoughts on the Lavender Marketplace Events

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Mr. Wolf,

We have been informed that a Planning Commission Meeting is taking place tomorrow (Thursday) evening. We are not comfortable attending to speak publicly on this matter for reasons stated below, but would like to share our thoughts in advance. Please do contact us if you would like any further details. We very much appreciate your help in this matter.

We live in the cottage at [REDACTED], with the southwest corner of our bedroom located adjacent to and overlooking the northeast corner of the Lavender Marketplace property. The quiet of our neighborhood is what drew us to seek Sierra Madre and stay for nearly ten years thus far, and unfortunately, the Lavender Marketplace has been a pervading source of disruption during our residence.

Neighborhood community and harmony are paramount for us, and we are reluctant to speak out in favor of a 'live and let live' philosophy with our neighbors. However, firsthand evidence over the years has steadily mounted, and our attempts to "give the benefit of the doubt" in regard to the Lavender operations have finally dissolved to arrive at what we feel is a logical conclusion: the owners are exploiting an apparent permitting loophole in order to continue business operations in a disruptive and dismissive manner, profiting at the expense of our quality of life.

The location of our bedroom in relation to the event property is acoustically optimal, or perhaps better stated as acoustically abysmal, for disconcerting amplification of sound from the outdoor vicinity. Voices and music from the Lavender space are funneled through our South bedroom window as though guests are speaking immediately outside. As the weather heats up, we ideally need to keep a window open for comfort during the day, which introduces a disruption when I am trying to sleep off a migraine or my partner is trying to regain sleep for a night spent on call at work. We have finally resolved to keep our windows on the West wall of the bedroom closed and blackout-curtained at all times to minimize noise and maximize privacy given the proximity and eye-line of guests attending the Lavender events and/or staying at the adjacent short-term vacation rental property.

Our particular location's predisposition to receiving the acoustic bulk from these events is illustrated in a video from October 2021, linked below. We do not have a habit of trying to gather 'evidence' against the owners, but this night was particularly rough, and my frustration in not being able to sleep off my migraine for work the following day drove me to point my phone's camera in the general direction of the noise, through one of our all-closed bedroom windows.

<https://photos.app.goo.gl/RUetwMrEn4e7J5yD9>

This video is from 9:20pm on a Sunday, and the party continued for a while afterward. I do not know what restrictions have been placed on the Lavender events since then, but this video illustrated for me the owners' blatant disregard for the basic needs of their neighbors in favor of increasing their income.

Understanding that the Lavender events are the source of livelihood of the property owners, we have held back from speaking publicly on this subject, still uncomfortable at the thought of affecting their lives negatively. In considering their perspective, though, we are mystified by the enduring cycle of:

- Complaints by affected neighbors that mounts to an agenda item at a City Council or Planning Commission meeting;
- and then, we hear through the grapevine that restrictions have been placed, or perhaps fines levied, or approval of neighbors now required, for the permitting of these events;
- and then we hope for improvement, but the events just seem to continue without any promised discussion with affected neighbors, and continue to levy the same effects on the neighborhood.
- It is then a matter of months or perhaps a year before we are again approached by neighbors asking us to speak up as residents of an immediately adjacent, and consistently affected, home, in light of the continued disruption.


Before getting angry, my partner and I try to understand. If we were basing our livelihood on renting our home out for large events in a residential neighborhood, we would endeavor to operate in the most harmonious, compliant way possible, especially considering that our neighbors are paying a premium to live in this gem of a city. We can't wrap our heads around why the Lavender Marketplace owners are willing to shirk our shared responsibility to protect the rare quiet of our neighborhood. You can go so much farther in the long run by being respectful and embodying the sort of community that you wish to see.

On the City's side, we can only imagine that this situation has been fraught, and a persistent eyesore on meeting agendas. Things don't seem to be changing for the years of testimonies from the neighborhood, and the codes involved don't seem to be protecting Sierra Madre's peace and quiet, which I understood to be a top priority of the City when I moved here in 2015. We don't understand all of the ins and outs of the relevant permitting guidelines, but we've been living at the source of noise and guests' peering eyeballs long enough to know that something isn't right, it's not getting better, and we don't know why.

Any assistance you could provide in resolving this disregard for neighborhood quality of life would be greatly appreciated.

We appreciate your time and effort in reading this.

Sincerely,

Sydney Garstang and Michael Diggin


Joseph Nosrat

Subject: FW: Meeting April 18

From: Stefani Greenwood [REDACTED]
Sent: Tuesday, April 16, 2024 3:02 PM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: Meeting April 18

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Sierra Madre City Council Members,

I write to you today with a heartfelt plea regarding the issue of allowing event spaces in residential areas within our beautiful community. As a concerned resident, I strongly urge the council to consider their decision due to the significant negative impact it can have on our neighborhoods and quality of life.

Residential areas are designed to be peaceful sanctuaries for families and individuals to live, work, and enjoy a sense of tranquility. Introducing event spaces in such areas disrupts this harmony in several ways:

- **Noise Pollution:** Events often involve amplified music, loud conversations, and increased traffic, leading to disturbances that disrupt the peace and quiet residents expect in their homes.
-
- **Traffic Congestion:** Events bring a surge of vehicles, which can congest narrow residential streets, create safety hazards, and inconvenience residents trying to navigate their own neighborhoods.
-
- **Safety Concerns:** Hosting events in residential areas can raise safety concerns due to increased foot traffic and parking issues.
-
- **Property Devaluation:** The presence of commercial activities like event spaces can negatively impact property values, affecting homeowners' investments and the overall appeal of the neighborhood.
-
- **Community Cohesion:** Introducing commercial activities in residential zones can erode the sense of community by prioritizing commercial interests over the well-being and cohesion of residential neighborhoods.

I implore the council to prioritize the best interests of residents by enforcing zoning regulations that preserve the residential character of our neighborhoods. We have listened and participated in your community forums and discussion with many neighbors who have spoken about the negative impacts it has on their quality of life. The solution is for the city of Sierra Madre to enforce the R1 Zoning regulations.

Thank you for considering this plea and for your dedication to serving the residents of Sierra Madre. I trust that you will uphold the values and well-being of our cherished community.

Stefani Greenwood and Serge Monkewitz | 

Joseph Nosrat

Subject: FW: Planning Commission

From: Carolyn [REDACTED]
Sent: Wednesday, April 17, 2024 9:34 PM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: Planning Commission

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Sierra Madre Planning Commission and Mayor,

I have lived for 66 years across the street from Alverno, now AHA on Michillinda. We have had numerous problems with them for decades, but nothing like the issues that have crossed our path since the Lower Campus was put in. I want to say that I love Sierra Madre and always have. I have had the distinct honor of teaching at SME for 23 years and will be retiring this June. I love the students and families of Sierra Madre. It is an inclusive, lovely place to live. When I was a child, my parents only shopped in Sierra Madre, not Pasadena. I have fond memories of taking ballet classes on Baldwin and classes at the Creative Arts.

But I have seen a definite preference on many levels to AHA over SME. First of all, in the 23 years that I have driven back and forth to SME, I have seen police near AHA 5 times - that's right I counted. With SME, the times that police have driven by our school, held stings, given parents tickets and teachers tickets, too, I just can't count. Way too many to count!!! I took a photo once of a police officer giving a ticket to a parked car a bit away from the curb. What I don't see are the SM police officers giving tickets to those cars who park right up to the fire hydrant on Michillinda when they are parked for a game. Or, the cars coming down Michillinda making a U-turn to get into the Michillinda line up to pick up their kids. I have NEVER seen officers at Alverno at the end of school at the corner of Michillinda and Highland which is a death trap. NEVER!!!! So, what's this all about? They constantly drive by our school waiting to see if they can give our hard working parents a ticket.

It continues today. Your police chief came to the neighbors meeting at Alverno a few months back. When I talked about the mess at the intersection, he was all about it and mentioned some remedies. When I tried writing him back on 3 different occasions, he never responded. What gives? Doesn't he want to keep the people who drive into Sierra Madre safe as well as its citizens? I just don't know what else to do. It's so frustrating.

I am recovering from surgery and should be asleep but this is too important for me. I am giving my Sierra Madre neighbor a photo that I took a few weeks back. She will be sending it in for me as there were some visual issues with it last time I sent it. It is a photo from when my husband

and I were in the left hand lane on Sierra Madre Blvd. turning left onto Michillinda. There was a car, who was waiting in the Michillinda line up for Alverno, literally blocking the intersection and almost causing an accident. It happened on a rainy day. I literally stayed out in the rain to see if indeed that car did go up Michillinda and into the gates and it did. I did call the police but as usual, they asked a million questions instead of getting out that to ticket that driver.

It is through prayer only that no one has been hurt with this tremendous traffic that Alverno has caused. And, now, random people just park on that Alverno side of Michillinda. It was never that way before the AHA lower campus started. They park on Michillinda and block that lane so that when my neighbors and I make a left turn into their driveways, people have to wait after us, get upset and honk us - all because these random people are now parking there after seeing all of the Alverno parked cars on Michillinda.

Regarding an extension of the portables - why? It isn't a yearly extension. No one is in those portables. Our family suffered the most when they were put in. So much building, cutting down trees. The original white color of the buildings reflected sun onto our grass and foliage, killing a lot of it. Finally, they painted it a cream tone. Why should Alverno continue to get access to those portables? Why does Alverno continue to get everything it wants and desires?

I would be happy to work with Sierra Madre on resolving this traffic issues that has been going on for years. I called Pasadena and a rep came out and spoke with Alverno. Alverno was supposed to do many things to lighten the traffic. It never did.

One last thing about the noise from this school. I have been home recovering and there is so much noise generated from this school which is about 1/3 of the size of my school. We do not allow the students to scream, ever. But that is all that they do over there. I, too, love to hear the students having fun and playing. Screaming denotes to me a problem for maybe the police to be called. I have asked Alverno numerous times to stop the screaming but they don't.

My two cents. Please see the photo that my friend Kristin Stephens is sending in to you to show you how that car blatantly and dangerously blocked the intersection.

Thank you for listening.
Carolyn Halpern

Joseph Nosrat

Subject: FW: PUBLIC COMMENT: Amendments to TUPs

From: [REDACTED]

Sent: Monday, April 15, 2024 11:14 PM

To: Joshua Wolf <jwolf@sierramadreca.gov>

Subject: PUBLIC COMMENT: Amendments to TUPs

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Planning Commission,

I have been a Sierra Madre resident for 58 years. I love the peaceful atmosphere and strong community. This is under threat. I am writing to ask that you severely limit and/or stop the commercial use of Temporary Use Permits in the R-1 residential zones. I have been most concerned by the way that Lavender Marketplace has found a way to ramp up their commercial outdoor operations without obtaining TUPs. They have said that they are allowed to have gatherings of 25 or less without a TUP. That's not true. The city attorney relaxed the size of the gatherings for personal and non-commercial purposes. This outdoor event business has become a nuisance to the neighbors and it is something that I want to prevent from happening in other parts of Sierra Madre.

Thank you for your consideration.

Sincerely,
Trini Martin

[REDACTED]

Joseph Nosrat

Subject: FW: Public comment

-----Original Message-----

From: Raina Martinez [REDACTED]
Sent: Thursday, April 18, 2024 2:24 PM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: Public comment

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Hello,

For the past few years I have visited friends Who are neighbors of the Lavender Market place , I have also heard a lot of discussions and commentary regarding the property and the business there. I have been surprised that a business of this nature can operate in a residential neighborhood in Sierra Madre especially where the streets are narrow with parked cars. I think it is Most important to keep the integrity of our neighborhoods and zoning protocols. I think it is important to clarify and tie up loopholes.

Thank you for your attention to this matter Raina Martinez

[REDACTED]
Sent from my iPhone

Joseph Nosrat

Subject: FW: PUBLIC COMMENT-AMENDMENTS TO TEMPORARY USE PERMIT

From: A M [REDACTED]

Sent: Tuesday, April 16, 2024 6:45 PM

To: Joshua Wolf <jwolf@sierramadreca.gov>

Subject: PUBLIC COMMENT-AMENDMENTS TO TEMPORARY USE PERMIT

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Members of the Planning Commission,

My husband and I have been living in Sierra Madre for 36 years and we love the small town vibe of the city with the bucolic feel. Please continue to restrict retail business to the Business District and not in the residential neighborhood. We oppose the amendments to the Temporary Use Permit as it would create a loophole for inappropriate business to operate in the R1 residential zone. Please help us keep Sierra Madre safe and special to live in the residential zoned neighborhoods. Thank you.

Regards,

Amy & Tom McMillan
[REDACTED]

PUBLIC COMMENT

Leesa A. Puleo - [REDACTED]

Planning Commission Meeting
April 18, 2024

I believe the Planning Commission should deny AHA’s request for a 10-year extension to Planning and Community Preservation Condition No. 12 - modular buildings, as the need for the portable classrooms no longer exists. The three portable classrooms were installed to house TK-8 students while the permanent lower school buildings were erected. AHA currently has no intention of building said classrooms, has not secured funding for construction, and has moved the TK-8 students into the existing high school classrooms. Furthermore, the City Council assured residents during appeal processes that there would be no more extensions granted to AHA since they had already received several extensions on the portables and have continued to make ongoing modifications to their original master plan of July 2021. The Director of Planning and Community Preservation, Vincent Gonzalez, indicated that it would be “very difficult” for AHA to receive any further extensions on the portables as well.

Additionally, I continue to maintain that the Planning Commission should revoke the Alverno Heights Academy (AHA) Conditional Use Permit 22-03 as they continue to violate the conditions set forth in CUP 22-03 AND current Sierra Madre Municipal Codes. Code and Condition Violations include:

- Condition Violation: Conditional Use Permit 22-03, Conditions of Approval, 5.0 Traffic and Parking
- Condition Violation: Conditional Use Permit 22-03, Planning Condition 6, Facility Rental
- Code Violation: Sierra Madre Municipal Code - Commercial Photography and Motion Picture Filming 5.36
- Condition Violation: Conditional Use Permit 22-03, Conditions of Approval - General Conditions 8.0 And Conditions of Approval - Community Services Department 1A

DISCUSSION

AHA REQUEST FOR A 10-YEAR EXTENSION TO PLANNING AND COMMUNITY PRESERVATION CONDITION NO. 12 - MODULAR BUILDINGS

AHA continues to make arbitrary and haphazard modifications to their original master plan of July 2021 and expects the City and its residents to accommodate their inability to adequately and financially plan for the academic needs of their students.

AHA’s modular classrooms were approved in May of 2020, without public hearing or community input, to TEMPORARILY house TK-8 students while plans for the permanent lower school buildings were being prepared and a capital campaign conducted. The capital campaign was never executed, funding was never secured, and construction of the permanent classrooms never occurred. AHA closed their High School and moved the TK-8 students into the existing high school facilities. AHA has said that the portables are no longer used for educational purposes and are currently being

used for miscellaneous storage. AHA no longer needs the modular classrooms and they should be removed immediately. I wholeheartedly believe AHA has no future plans or financing to build any permanent structures, in fact, they are struggling to secure the funds for two sport courts. Any extension of Planning and Community Preservation Condition No. 12 removes the impetus for AHA to ever build any permanent buildings on the campus.

Their request for a 10-year extension to Planning and Community Preservation condition no. 12 - modular buildings is yet another example of their failure to appropriately plan for the needs of their TK-8 students! I believe AHA has failed to provide any kind of concrete, comprehensive needs assessment to justify any extension of Planning and Community Preservation condition no. 12, for any amount of time. Simply saying it will afford them the “flexibility for academic program growth and adjustments” is not adequate to justify the impact the portable classrooms have on the neighbors, the overall community, and the aesthetics of the campus.

In a letter to Ms. Lin, Planning Manager, dated April 10, 2024, Ms. Harabedian implies that the portables will lower class size, increase the quality of educational programs and, as a result, increase parent donations that will support the construction of permanent classrooms. This is preposterous. It is my firm belief that families who pay for private school expect smaller class sizes, and specialized programs, and do not expect to pay much more than tuition!

In the same letter, Ms. Harabedian indicates that “neighbors did not express concerns about the modular classrooms” during the January 25, 2023 neighbor meeting. **THE FACT IS, RESIDENTS DID NOT VOICE CONCERNS BECAUSE WE HAD NO IDEA AHA WAS GOING TO REQUEST A 10-YEAR EXTENSION ON THE PORTABLES UTIL LATE LAST WEEK!** We assumed AHA would be removing the portables within the next few months. I am flabbergasted by her comment and sickened that she would attempt to mislead the Planning Commission in this manner.

The portables are located “within the footprint of the proposed Multi-Purpose Building”. If AHA receives an extension they will never build the multi-purpose building, which the Planning Commission has said will remove the need for using the Michillinda parking lot for sports and recreational activities and eliminate the noise from basketball, pickleball, volleyball games and other indoor sports.

The portable classrooms are unsightly to those living across the street from the school and mar the beauty of the campus for residents and visitors traveling on Michillinda. Residents have complained that the structures increase the sun’s glare onto their homes and, as a result, have killed vegetation. Additionally, I believe these portable classrooms thwart several elements of the City of Sierra Madre General Plan as they do NOT “convey the village theme in their siting, massing, scale, use of open space and architectural character” and are not “designed to a high level of architectural quality, being a visual asset in the area in which they are located”. AHA assured neighbors that the portables would be painted in a color that would be complementary to the Villa, yet they were never painted.

Currently AHA has NINE modular classrooms, “six located in three buildings, sited adjacent to the Prayer Garden (west of the Villa)” and three free standing portables located along Michillinda Avenue. According to available data, AHA has MORE portable classrooms than any other public or private educational institution in Sierra Madre AND Pasadena and, perhaps, many other adjacent cities.

AHA continues to maintain that the Villa is used to provide educational and recreational services to their students and, as such, has strengthened their argument that the historical landmark is being adaptively reused. The city has already made significant accommodations to AHA based on adaptive reuse ordinances; I see no reason for the city to allow further accommodation for the three portable classrooms that they neither need or use on a regular basis.

CONDITION VIOLATION: CONDITIONAL USE PERMIT 22-03, CONDITIONS OF APPROVAL, 5.0 TRAFFIC AND PARKING

I will argue, yet again, that although AHA has a published Traffic and Parking Mitigation Plan, they do NOT adhere to it. Sure, AHA has confirmed drop-off and pick-up procedures, but this in no way means that these procedures are being followed. Vehicles continue to queue on Michillinda and create significant safety issues for drivers and pedestrians alike. Traffic on Wilson and Michillinda remains unchanged. Parents still attempt to bypass carline and park, and double park, on Wilson, Highland, and Grandview and walk their child(ren) into the entrance gates. I implore the Planning Commission to randomly observe drop-off and pick-up to determine if AHA is actually complying with their traffic plan. I live across the street from the Highland exit gate and I assure you that families are not adhering the traffic plan, the plan is not enforced by AHA, and there is no AHA staff outside of any gate directing traffic. I took this photo just this morning during my 7:00 am jog and the Highland gate was wide open (*see below*) allowing cars to go both in and out of the gate. What good is a traffic plan if nobody follows it? It is a warzone out there at 7:40 am in the morning!



CONDITION VIOLATION: CONDITIONAL USE PERMIT 22-03, PLANNING
CONDITION 6, FACILITY RENTAL

The AHA Conditional Use Permit 22-03, Planning Condition 6, prohibits Alverno from renting the soccer/softball field to sports groups not associated with AHA. It is my firm belief that AHA continues to violate Conditional Use Permit 22-03, Planning Condition 6, by “allowing” La Salle High School to use their sports facilities for softball practices and games. I presented my concerns in an oral presentation at the Planning Commission meeting, “off agenda”, on February 15, 2024 and again, in writing, for the Planning Commission public comment section of the meeting on March 6, 2024. I believe my concerns have not been adequately addressed. Ms. Harabedian simply wrote a letter to Ms. Lin, Planning Manager, on February 21, 2024, and the subject was dropped. In her letter, Ms. Harabedian indicated that only one neighbor on Highland, presumably me, raised concerns. Yet, in Ms. Harabedian letter to Ms. Lin, dated April 10, 2024, she states that Mr. Robert Nydam voiced the same concerns at the neighborhood meeting on January 24, 2024. Other Wilson Street residents have attended neighborhood meetings, sent emails to the City, and spoke to Ms. Bertolini in person, about their concerns regarding various non-AHA teams using the AHA field for football and softball. So, I am definitely NOT the only person who believes AHA is violating CUP 22-03, Planning Condition 6. Since several residents have voiced concerns, I feel further investigation is warranted and the language contained in the condition should be less ambiguous. Planning Condition 6 simply uses AYSO and adult leagues as an example of prohibited field usage, not the ONLY entities prohibited to use the field. Yet, Ms. Harabedian’s argument is that AHA is in compliance because they do not rent to either of these two sports programs. This is yet another example of AHA finding loopholes in City codes and CUP conditions.

Ms. Harabedian ascertains that “AHA and La Salle are partners in religious, academic, and athletic programming”. I believe this is grossly inaccurate. Sure, they share the same distinction of being Catholic schools, but the commonality ends there. AHA is now a TK-8 school and La Salle is a high school. La Salle is outside of Sierra Madre’s borders and is NOT a member of the same sports league as AHA. AHA is in CYO (Catholic Youth Association) and La Salle is in CIF (California Interscholastic Federation). It is my belief that AHA is allowing La Salle facility use in trade for in-kind support or services or, perhaps, giving priority to AHA students when applying for admission to La Salle. Several other Pasadena Catholic high schools support AHA equally like Flintridge Sacred Heart Academy, Westridge, Maranatha, and Mayfield. What prevents AHA from allowing these schools to use their sports facilities and neighbors having to deal with even more negative impacts on noise, parking, and traffic?

I believe allowing La Salle to use the AHA sports facilities does not significantly benefits the neighborhood or the City, as Ms. Harabedian ascertains in both letters to Ms. Lin. A large sign, posted just outside of the sports facility, says that the campus is closed to the public and trespassers will be prosecuted. Neighbors and other residents are actually prohibited from using the sports facilities and the gates remain locked when the field is not in use by La Salle or the Sierra Madre softball league.

AHA has hosted eight La Salle softball games and at least ten practices since mid-February 2024. Short practices also occur before each game. La Salle softball team players arrive at AHA by transport van as early as 1:50 pm and have been seen leaving the campus well after 5:45. Games begin between 3:15 pm and are supposed to end at 5:30 pm, but on March 19, 2024 specifically, the softball game must have gone into extra innings and the ended at 6:15 pm. It is undeniable that La

Salle's usage of AHA facilities has had negative impacts on neighbors, Sierra Madre residents, visitors, and even AHA students. Screaming, whistling, and cheering of young adults, coaches, and dozens of spectators is clearly audible to neighbors and those visiting the area. Foul balls go outside of the AHA property and onto the surrounding streets, hitting vehicles. Attendees' vehicles, team transport vans and busses honk and idle on the streets and outside AHA entrance gates. They parked on Highland, Wilson, Grandview, and Michillinda, and prevent neighbors from parking outside of their own home. Sadly, the AHA softball field is roped off during the school day, so AHA students cannot enjoy the field during PE, recess, and afterschool care, as the administration probably fears the children will disturb the base and foul lines used for competitive play.

CODE VIOLATION: SIERRA MADRE MUNICIPAL CODE - COMMERCIAL PHOTOGRAPHY AND MOTION PICTURE FILMING 5.36

The Sierra Madre Municipal Code – Commercial Photography and Motion Picture Filming 5.36.065 – A (1) states that each property is limited to sixty days of film or photography activity per year and ten days of film or photography activity per month. On the morning of Friday, April 12, 2024, I received a letter of proposed filming at the AHA Villa (*see below*) and believe it violates the INTENT of this particular code. The letter includes 14 days of filming, 8 days at the end of April and 6 days at the beginning of May. It is obvious that AHA and the Production Company chose to schedule filming at the end of one month and the beginning of another to circumvent the Sierra Madre Code which allows ten days of filming per month. This is very typical AHA behavior and not indicative of a good neighbor! The intent to film also includes three overnight shoots which I believe should be counted as six days of filming as they span two calendar days.

The Sierra Madre Municipal Code – Commercial Photography and Motion Picture Filming 5.36.065 – A (3) states that film or photography activities are limited to the hours of 7:00 a.m. through 10:00 p.m. Monday through Saturday. The proposed AHA Villa filming indicates that there will be three overnight shoots. This is not necessarily a code violation as the production company may secure 75% of resident signatures within a three-hundred-foot radius of the property. Will speak more on this below.

The Sierra Madre Municipal Code – Commercial Photography and Motion Picture Filming 5.36.065 – A (10) states that any variance from these standards may be approved in writing by at least seventy-five percent of owners or tenants within a three-hundred-foot radius of the property for film or photography activities. I believe that AHA and the Production company have violated this code by not securing the needed % of signatures within a three-hundred-foot radius of the property and/or have secured signatures through bribery, deception, guilt, and lack of resident knowledge of SMMC 5.36.

On the evening of Saturday, April 13, 2024, a gentleman from the location company came to my door. I asked him for his business card (*see below*) and I engaged him in a conversation about the proposed filming at AHA. He informed me of the schedule, including the overnight shoots. He told me that parking for crew and extras was off site at the Santa Anita Race Track. He went on to say crew trucks, cranes, wardrobe and makeup trucks, and portable dressing rooms will all be located on the Michillinda parking lot throughout the night. He indicated that catering would be serving all meals from the Michillinda parking lot. He told me that, ironically, they were filming a wedding scene but needed to pause their filming for an actual wedding rental! I later reviewed the

AHA wedding schedule and determined that there is, in fact, a wedding rental occurring concurrently on April 4, 2024.

I told him I that I had no intention of signing, but I asked for the signature sheet so I could write down my refusal to sign (*see below*). I immediately noticed that the form stated “75% of residents within 250 feet” when the SMMC Code States “75% of residents within three-hundred-foot radius of the property and asked him where he got the form. He said a woman named Lawren from the City gave it to him. I am disturbed to think that even City staff is unaware of the current Commercial Photography and Motion Picture Filming code. He told me that they were filming a wedding scene with Colin Farrel and Margo Robbie. He pleaded with me to sign, telling me that the actors are just getting back to work from the writers’ strike and have been out of work for a year. He then asked me how much compensation I would need to sign the form. I told him no amount of money would be worth the disruption of filming in the middle of the night. On Monday, April 15, 2024, a female representative from the location department came to my home three times. I did not answer the door but she was recorded on my ring device.

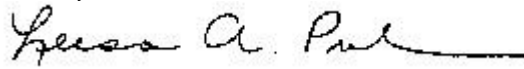
I am absolutely certain that neighbors have no idea what is contained in the current SMMC Commercial Photography and Motion Picture Filming Code 5.36 because it was significantly changed just a few months ago and hours of activity modified and variance approval procedures were changed. I do not believe neighbors realize that their signatures on these forms will allow AHA and production companies to violate municipal code. I purport that AHA and the production company purposefully duped neighbors into signing forms by not adequately providing them with the new code changes to allow their informed consent and, therefore, violated Municipal Code, Chapter 5.36, or, in the very least, lacked appropriate transparency. I believe all neighbors within 300 feet of the AHA campus should receive copies of SMMC codes and Conditional Use permit 22-03 conditions that relate to Commercial Photography and Motion Picture Filming before they are asked to provide their signatures.

CONDITION VIOLATION: CONDITIONAL USE PERMIT 22-03, CONDITIONS OF APPROVAL - GENERAL CONDITIONS 8.0 AND CONDITIONS OF APPROVAL COMMUNITY SERVICES DEPARTMENT 1A

Conditional Use Permit 22-03, Conditions of Approval - General Conditions 8.0 AND Community Services Department 1A prohibits AHA from hosting any concurrent film or photography activity, temporary uses, or religious events, at the school, Villa, soccer/softball field, and multipurpose building. The proposed filming schedule (*see below*) and the wedding schedule posted on the AHA website (*see below*) indicate that there is concurrent filming (5:00 pm – 7:00 am) and a wedding rental (2:00 pm – 10:00 pm) at the AHA Villa on Saturday, May 4, 2024, which violates General Conditions 8.0 AND Community Services Department 1A.

On April 13, 2024, the location manager specifically told me that filming had to be temporarily stopped to allow for a wedding rental at the Villa. AHA will surely argue that the production company was not actually granted a permit yet, so a violation did not occur, but I believe this is proof positive that the AHA Facilities Director is unable to adequately manage facilities use and prevent concurrent usage of the facility. Or, perhaps, she did not think we would notice or find out the concurrent usage, but we did. There will never be any trust between neighbors and AHA as long as they continue these shady business practices!

Thank you,



[About Us](#) ▾

[Academics](#) ▾

[Admissions](#) ▾

[Campus Life](#) ▾

[Giving](#) ▾

[Villa Del Sol D'Oro](#)

[All-Stars Gala](#)

May 2024

5/4/24- Wedding – 2pm-10pm

5/11/24- Wedding – 2pm-10pm

5/18/24- Wedding – 2pm-10pm

5/25/24- Wedding – 2pm-10pm

A-BIG-BO
LD-BE-AU
TI-FUL-JO
U-RN-EY

April 11-12, 2024

Dear Neighbor

After a long year of filming inactivity, production has resumed and proposes to film at the historic **Villa del Sol d'Oro located at 200 N Michillinda Ave**. Admittedly our proposed schedule of work is ambitious, but we plan to reach out to all neighbors in the immediate area to partner with the community to accomplish this film shoot in a manner we hope will be beneficial to Alverno Heights Academy, the surrounding neighborhood, and the local film industry.

SCENES AND ACTIVITY

Interior and exterior wedding scene. Rain FX, exterior lighting, wedding music playback

DATES

Prep:

April 21-25, 28; 7AM - 7PM

Shoot:

April 29, 30; 10AM - 12AM

May 1 - 3; 5PM - 7AM (overnight shoots)

Strike:

May 4, 6, 7; 7AM - 7PM

PARKING:

All parking to be contained on Alverno Heights campus, no production street parking, or traffic control on local streets. All crew and extras parking, and basecamp to be located at Santa Anita Racetrack.

Thank you for your time to review our proposed filming activity and please reach out to me with any questions or concerns and to complete the community survey,

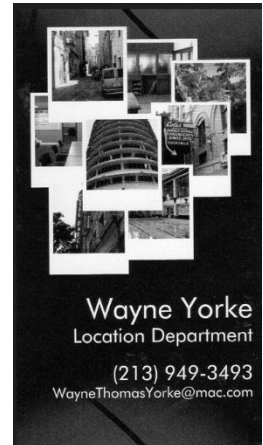
Sincerely

Wayne Yorke

Key Assistant Location Manager

Cell 213-949-3493

WayneThomasYorke@mac.com



Film Permit Application Signature Sheet



City of Sierra Madre
 Film Division
 232 W. Sierra Madre Blvd.
 Sierra Madre, California 91024
 (626) 355-5278
 www.cityofsierramadre.com

NOTICE TO THE PUBLIC

This signature sheet may be circulated by a paid or volunteer signature gatherer. The City of Sierra Madre is not responsible for verifying the accuracy of the name, address, or signature below. You may view the Signature Sheet and confirm its accuracy by visiting www.cityofsierramadre.com.

I understand that Big Bold Beautiful LLC (Film Company) has requested a film permit from the City of Sierra Madre to film on April 29 through May 3 from the hours of 10AM to 7AM (overnight). The filming will take place at Alverno Heights Academy, 200 N Michilinda Ave (see corresponding notification letter for specific hours per day).

I also understand that a minimum of 75% of residents within 250 feet of the perimeter of the property on which filming is to take place must consent before the permit will be granted. I, the undersigned, consent to / oppose filming in my neighborhood for the above dates, times and location. As the tenant of the undersigned property, I confirm that I have the legal right from the property owner to allow filming at / on this property and am over the age of 18 years.

NAME (Please Print)	ADDRESS	SIGNATURE	APPROVE
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I, _____, declare under penalty of perjury under the laws of the State of California and the Sierra Madre Municipal Code that the foregoing is true and correct. I personally circulated the attached signature sheet for signing. I personally witnessed each of the appended signatures being written on the petition. To my best information and belief, each signature is the genuine signature of the person whose name it purports to be. The appended signatures were obtained between the dates of _____ and _____ inclusive.

Signature: _____ **Date:** _____

Joseph Nosrat

Subject: FW: ANNUAL REVIEW CUP 21-03 (CUP 21-03) AHA 2021 MASTER PLAN UPDATE, REQUEST FOR EXTENSION MODULAR BUILDINGS.

From: [REDACTED]

Sent: Tuesday, April 16, 2024 6:05 PM

To: Public Comment <publiccomment@cityofsierramadre.com>

Subject: ANNUAL REVIEW CUP 21-03 (CUP 21-03) AHA 2021 MASTER PLAN UPDATE, REQUEST FOR EXTENSION MODULAR BUILDINGS.

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Sirs and Madam Commissioners,

“Findings for the master plan (City Council Resolution 23-13) require that AHA, as well as other institutions with master plans, provide additional benefits to the community. “

Alverno Academy goes to the city and gets another expansion based on saying they are open space and a place for neighbors. Yet they lock the gates and put up signs telling me to stay out. Not very neighborly. The signs are not how I would like to think Sierra Madrean’s are. The kids are sweet. I am not talking about them.

I am having trouble reading this lengthy agenda and reconciling statements about Alverno’s benefit to community with when they have behaved poorly and put up signs as if they own my neighborhood. They don’t even take care of what they have. I would have the code officer on my case if I let my grounds grow weeds like they have.

I would benefit from Alverno Academy if they would:

1. Get rid of the portables. The school does not have a compelling argument for a 10 year extension. The City Council discussed this last year. They were pretty adamant they need to go by this summer.
2. Expand the Michillinda parking lot. The student population might not drive but the many school events need it. Give the visitors, staff and parents the opportunity to get off the surrounding streets.
3. Replace the softball field with the sport courts. Put up a true sound wall. The original noise studies just don’t apply
4. Stop providing their field for non-Alverno sporting events. La Salle is not a partner just because they are a Pasadena school. They are a feeder high school but so are dozens of other private schools.
5. I would like the chimes reinstated. End the use of whistles during the daytime
6. Keep up the parkway. If isn’t tall grass growing across the sidewalk it it’s now gophers and weeds and they are infesting my yard. I would be cited if I let my yard and parkway go like that. It’s not attractive.
7. I can’t comment on anything that Alverno Academy hasn’t provided and isn’t in the agenda such as the specific noise study for the sport courts
8. Get families to carpool.
9. Paint crosswalks all around the school so when the kids walk off campus they can do so safely.
10. Commissioners should put a stop to the endless returns by Alverno Academy to change their conditions of use.

I strenuously disagree that I, or my community benefit from the Alverno Academy being in my neighborhood. Maybe 40 years ago when we didn't even realize it was a school. The school can say it all they want but I respectfully disagree. I don’t benefit from their traffic, certain noises, their gophers, weeds, using the

parking lot for recess and lunchtime, loaning out their field and not giving me a peaceful weekend. They haven't hosted the city in decades, the Wisteria festival in years or the Library said the Villa is too expensive for their events. The Lower School is using the campus a lot more than the girls, or they have all night film shoots and there are weddings almost every weekend. I would appreciate your understanding and holding Alverno accountable for the imprint they leave on my neighborhood.

Warm Regards, Ms. Rosadella and extended family

Joseph Nosrat

Subject: FW: [EXTERNAL] planning commission 4-18-24
Attachments: 6b_03_b-draft ordinance.pdf; 6c_01_pc sr re mcta 24-02 (final).pdf

From: Steven Rostker [REDACTED]
Sent: Thursday, April 18, 2024 10:12 AM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: FW: [EXTERNAL] planning commission 4-18-24

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Unfortunately, I will not be able to participate at this meeting which we the community have been anticipating for weeks. I have attended & spoken at all council and pc meetings over this tup/hop/lavender situation. The Lavender Market Place has held on the order of 100 commercial events over the last several years. This activity in the R1 zone of our community has precipitated all this public and private angst, anger, frustration and fatigue over this matter. Going back in tup records since they opened their business in 2017, no other R1 zoned property has had more than 1 tup issued except 89 Olive. What does this tell us, but that they have figured out the weakness and loopholes in our city's ordinances and codes, exploited them, and gamed the system. They continue to do this at this current time. Even while they are begging forgiveness from council and planning commission recently. Since the last council meeting on 3-26, they have had multiple weddings and multiple film shoots which were not permitted and had 5 or more attendees in the yards of 80 mira monte and 89 olive. The police have been notified; code enforcement has been notified; Lawren Heinz has been notified. But not one time have any of the city responders been able to go on to the property to verify the violations. Why? Because of the loophole written into the code back in October 2022 and approved by planning director (Gonzales) and signed off by city council.

After reading tonite's agenda and staff reports, I do feel you are taking a step in the right direction. I agree with your strengthening of the HOP ordinance by retaining discretionary review and approval over proposed larger business uses.

However, We recommend rewording in two documents. Please see annotations in these attachments

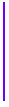
6c_01_pc sr re mcta 24-02 (final).pdf – see p. 7

6b_03_b-draft ordinance.pdf -see p. 7,19, 20, 21,22, 23

At the March 21st pc meeting, commissioners Dennison and Danvers both expressed their surprise that loopholes had been mis - interpreted into their 2022 ordinance proposal. Therefore we cannot let that happen again. Staff needs to be clear, direct, and firm in their drafting of suggested ordinance changes to prevent abuse to our city's TUP and HOP ordinances.

Thank you again..

Steve Rostker



ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, AMENDING CHAPTERS 17.08 (DEFINITIONS), 17.82 (HISTORIC PRESERVATION), 17.85 (HOME OCCUPATIONS), AND 17.88 (TEMPORARY USE PERMITS) OF TITLE 17 (ZONING) OF THE SIERRA MADRE MUNICIPAL CODE

RECITALS

WHEREAS, the purpose of Temporary Use Permits is to afford certain temporary uses of private property which would otherwise be prohibited within the underlying zone, while protecting the public health, safety and welfare of the community;

WHEREAS, operational concerns have been brought to the attention of the City indicating that certain temporary uses are being used to convert certain residential uses into commercial uses;

WHEREAS, the City desires to amend Chapter 17.88 (Temporary Use Permits) of Title 17 (Zoning) of the Sierra Madre Municipal Code in order to address such concerns;

WHEREAS, the City Council on March 12, 2024, and March 26, 2024, held discussions on the uses permissible in the One-Family Residential (R-1) Zone focusing on Temporary Use Permits and Home Occupations;

WHEREAS, the Planning Commission on March 21, 2024, held a discussion on the uses permissible in the One-Family Residential (R-1) Zone focusing on Temporary Use Permits and formed a two-member subcommittee ("Temporary Use Permits Subcommittee") of the Planning Commission;

WHEREAS, the Temporary Use Permits Subcommittee between March 21, 2024, and April 18, 2024, met twice, remotely, to prepare a draft municipal code text amendment for consideration by the Planning Commission;

WHEREAS, the Planning Commission held a properly noticed public hearing on April 18, 2024, and adopted Resolution No. 24-07 dissolving the Temporary Use Permits Subcommittee and recommending approval of a municipal code text amendment (Temporary Use Permits; MCTA 24-01) by ordinance to the City Council;

WHEREAS, the Planning Commission held a properly noticed public hearing on April 18, 2024, and adopted Resolution No. 24-08 recommending approval of a municipal code text amendment (Home Occupations; MCTA 24-02) by ordinance to the City Council;

WHEREAS, the Planning Commission held a properly noticed public hearing on April 18, 2024, and adopted Resolution No. 24-09 recommending approval of a municipal code text amendment (Historic Preservation; MCTA 24-03) by ordinance to the City Council;

THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The Recitals above are true and correct and incorporated herein by reference.

SECTION 2. Amendment. Section 17.08.020 (Words, terms, phrases defined) of Chapter 17.08 (Definitions) of Title 17 (Zoning) is amended to read as follows:

"Abut, adjoining or contiguous" means, in reference to real property, two or more lots sharing a common lot line; with reference to two or more objects, the same shall mean in immediate contact with each other.

"Access" means the place, or way, by which pedestrians and/or vehicles shall have safe, adequate and usable ingress and egress to a lot, from a public or private street or alley.

"Accessory" means a building, part of a building or structure or use which is subordinate to, and the use of which is incidental to, that of the main building, structure or use on the same lot. Where the wall of an accessory building has a common wall or a portion of a common wall not less than four feet in length, such accessory building shall be considered as part of the main building.

"Accessory dwelling units" also known as a "second unit," means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel that the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes an efficiency unit and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

"Accessory use" means a use which is directly related, but clearly subordinate, to a principal use. All accessory uses shall be established and maintained on the same lot as the principal use which they serve, except as expressly otherwise provided herein.

"Adjacent" means two or more objects which are located in close proximity to each other.

"Adult residential facility" is a state licensed residential home for adults eighteen through fifty-nine years of age with mental health care needs who have physical and/or developmental disabilities and require or prefer assistance with care and supervision. An adult residential facility is a subset of a community care facility.

"Adult residential facility for persons with special health care needs" is a state licensed residential home that provides twenty-four-hour services for up to five adults with developmental disabilities who have special health care and intensive support needs and who would otherwise need to reside in an institution. An adult residential facility with special health care needs is a subset of a residential health care facilities (chronically ill).

"Affordable unit" has the same meaning indicated in Section 17.34.020.

"Alley" means a public or private way designated as an alley by the city, other than a street, permanently reserved as a means of secondary vehicular access to adjoining properties.

"Apartment" means the same as "dwelling unit."

"Apartment house" means a multi-family dwelling.

"Assessed value" means the then assessed value of the land, building or structure, as is shown on the current assessment role in effect as of the time of the making of the determination of such assessed value.

"Assessor" means the tax assessor of the county of Los Angeles.

"Assisted living facility" means the same as "residential care facility for the elderly."

"Barber shop" means a place of business for a barber, whose occupation is to cut any type of hair, give shaves and trim beards.

"Basement" is any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

"Beauty shop" means establishments where hairdressing, and services incidental to hairdressing are done, including the sale of beauty supplies and cosmetics.

"Bed and breakfast inn" has the meaning indicated in Section 17.82.030.

"Block" means all properties fronting upon one side of a street between intersecting and intercepting streets, or between a street and a railroad right-of-way, water way, terminus or dead-end street, or city boundary. An intercepting street shall determine only the boundary of the block on the side of the street which it intercepts.

"Boarding house" means a residence or dwelling, other than a hotel, wherein three or more rooms, with or without individual or group cooking facilities, are rented to individuals under separate rental agreement or lease, either written or oral, whether or not an owner, agent, or rental manager is in residence. Such use is prohibited in all zones excluding licensed group living facilities or similar uses.

"Building" means any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons or property of any kind.

Building, Accessory. "Accessory building" means a separate, detached building, housing a permitted accessory use, located on the same lot as the main building or principal use.

Building Height. See "Height."

Building, Main. "Main building" means a building in which is conducted one or more principal uses permitted on the lot upon which it is situated.

"Building site" means: (1) the ground area of one lot or (2) the ground area of two or more lots when used in combination for a building or group of buildings, together with all open spaces, as required by this chapter.

"Business day" means a day on which city offices are open for regular business.

"Canopy" means any structure, temporary or permanent, constructed of canvas or other cloth or material on a framework sheltering an area, or forming a sheltered walk to the entrance of a building.

"Carport" means a permanently roofed structure with not more than two enclosed sides, used or intended to be used for automobile shelter and storage.

"Centerline" means the centerline, as determined by the city engineer, of any street, highway or alley.

"Child care center" means a facility with an organized daytime program for the supervision and care of children who are not related to the person operating such facility and where the operator is not required to live on the property.

"Children's day care center" (emotionally disturbed) means a state licensed institution of no more than six beds intended solely for the admission and treatment of minors with mental illness or behavior or emotional disorders. A children's day care center is a subset of a community care facility.

"City" means the city of Sierra Madre.

"City manager" means the city manager of the city.

"Clerk" means the city clerk of the city.

Club, Private. "Private club" means any building or premises used by an association of persons, whether incorporated or unincorporated, organized for some common purpose, but not including a group organized primarily to render a service customarily carried on as a commercial enterprise.

"Code" means the Sierra Madre Municipal Code.

Rational: this is similar to other communities in SGV, including Pasadena's language. This makes the definition stronger.

"Commercial use" means the use or advertisement for use of property for any fare, fee, rate, charge or other consideration, ~~or~~ directly or indirectly in connection with any business, or any other undertaking intended for profit or gain. For the avoidance of doubt, it is not considered a commercial use if there is none of the above remunerations while the property is being used for the solicitation on behalf of a validly chartered tax-exempt organization. All uses set forth on the commercial zone use list in 17.36.020n and 17.36.035 are included within this definition.

"Commission" means the planning commission of the city.

"Communications equipment buildings" mean buildings housing operating electrical and mechanical equipment utilized in conducting a public utility communications operation.

"Community care facilities" are licensed by the community care licensing division of the state department of social services or similar state programs that provide non-medical residential care to children or adults who are physically disabled and/or mentally impaired who are in need of personal services, supervision, and/or assistance essential for self-protection or sustaining the activities of daily living. Community care facilities are comprised of adult residential facility, children's day center (emotionally disturbed), group home, and residential school (developmentally disabled).

"Continuing care retirement community" is a state licensed "residential care facility for the elderly" that offers a long-term continuing care contract that provides for housing, residential services, and nursing care, usually in one location, and usually for resident's lifetime. Continuing care retirement community is a subset of a residential care facility for the elderly.

"Converted or conversion" means the repurposing of all or a portion of an existing structure as an accessory dwelling unit entirely within the existing structure building envelope and in accordance with all required residential building and construction standards set forth in the applicable California Building Codes.

"Council" means the city council of the city.

"Director" means director of planning for the city.

"Disabled" as defined in state or federal law.

"Drug and alcohol recovery and rehabilitation facilities" are unlicensed homes, residences, facilities, or premises which provide housing and supportive services for persons recovering from drug and alcohol abuse in a group setting, but do not provide professional medical, psychiatric, psychological, or nursing care for the purpose of curing persons of drug or alcohol addiction. A residential drug and alcohol rehabilitation facility is a type of "sober living home."

"Drug and alcohol treatment facilities" are licensed by the state department of drug and alcohol programs or similar state programs serving six or fewer persons that provide twenty-four-hour residential non-medical services to adults who are recovering from problems related to alcohol and/or drugs and need treatment or detoxification services. Individuals in recovery from drug and alcohol addiction are defined as disabled under the Federal Fair Housing Act.

"Duplex" means the same as "Dwelling, two-family."

Dwelling, Multi-family. "Multi-family dwelling" or "multiple family dwelling" means a building designed or used for occupancy, as living quarters, by three or more separate families or persons and containing one dwelling unit per separate family or person.

Dwelling, Single-family. "Single-family dwelling" means a detached building designed or used for occupancy, as living quarters, by one person or one family. "Single-family

dwelling" shall also include a manufactured home or a modular home as a type of dwelling unit.

Dwelling, Two-family. "Two-family dwelling" means a building designed or used for occupancy, as living quarters, by two separate families or persons and containing two dwelling units.

"Dwelling unit" means one or more rooms in a building designed and intended to be used as living quarters by one person or one family.

"Educational institution" means any public, private or parochial; elementary, junior high, high school, university, or other school giving general academic instruction in the several branches of learning.

"Efficiency kitchen" means a cooking facility and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

"Emergency shelter" means any building used by a nonprofit organization to provide emergency housing and meals on a temporary basis (six months or less) to stranded, evicted, transient, or otherwise dislocated and homeless persons until a satisfactory solution to their immediate problem is found.

"Engineer" means the city engineer of the city.

"Explosives" mean any explosive substance, as defined in Section 12000 of the Health and Safety Code of the state of California.

"Facilities for parole adjustment/rehabilitation" mean any building where a program is conducted to prepare prisoners for return to the community in which they live and assist them in developing emotionally stable and economically productive lives.

"Family" means a "housekeeping unit".

"Family daycare home" is a licensed facility that regularly provides care, protection, and supervision for fourteen or fewer children, for periods of less than 24 hours per day, while the parents or guardians are away. A family daycare home includes a detached single-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling within a covered multifamily dwelling in which the underlying zoning allows for residential use. A family daycare home is where the licensee resides, and includes a dwelling or dwelling unit that is rented, leased, or owned. Family daycare homes are comprised of a small family daycare home, under Health and Safety Code section 1597.44, and a large family daycare home, under Health and Safety Code section 1597.465.

"First story" means the lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than four feet below preexisting natural grade, as defined herein, for more than fifty percent of the total perimeter, or not more than eight feet below grade, as defined herein, at any point.

"Floor area" means the sum of the horizontal areas of floors of buildings measured from the exterior face of exterior walls.

Floor Area Net. "Net floor area" means the total horizontal floor area of all the floors of a building included within the surrounding walls, exclusive of vents, shafts, courts, elevators, stairways and similar facilities.

"Fraternity" means the same as "Club, Private."

Frontage, Street. "Street frontage" means the length of a lot line of a lot which abuts a street.

"Garage" means any building, with three enclosed sides, provided with a closeable access door or doors, which is used or intended to be used for automobile shelter or storage.

Gender. When consistent with context, words in the masculine gender include the feminine and neuter genders.

Grade. Whenever the term "grade" is used alone, it shall refer to the most restrictive condition.

"Grade, finished" means the final grade of the site which conforms to the approved plan.

"Grade, natural" means prior to deposit of earth material placed by artificial means and/or prior to the mechanical removal of earth material.

"Grade, preexisting" means an established grade that exists on a site for which a legal grading or building permit was in effect for ten years prior to a request for a building, demolition or grading permit.

"Gradient" means the rate of vertical change of a ground surface expressed as a percentage figure and determined by dividing the vertical distance by the horizontal distance.

"Group home" means a state licensed facility that provides twenty-four-hour non-medical care and supervision in a structured environment to troubled youths who exhibit social, psychological, and behavioral problems and is a subset of a community care facility.

"Group living facilities" means any home, residence, facility, or premises which provides temporary, interim, or permanent housing for persons with mental, physical and/or developmental disabilities (as defined in state or federal law) in a group setting.

"Guest house" means living quarters located within an accessory building, designed and utilized for the sole use of persons employed on the lot, or for temporary use by guests of the occupants of the dwelling located upon such lot. Guest houses shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling unit.

"Height" of building is the vertical distance above a reference datum measured to the highest point of the roof structure. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The lowest elevation of adjoining finished grade within a five-foot horizontal distance of the exterior wall of the building;
2. The lowest elevation of adjoining preexisting natural grade within a five-foot horizontal distance of the exterior wall of the building.

The height of a stepped or terraced building is the maximum height of any segment of the building.

"Highway" means the same as "Street."

"Home occupations" mean any ongoing or repetitive business or professional use, activity or utilization of residentially zoned and improved property, by the inhabitants of said property, which is incidental and accessory to the primary residential use and does not generate an adverse impact to the surrounding neighborhood, pursuant to the provisions of Chapter 17.85 of this title.

"Hospital, general" means an institution staffed and equipped to provide the various types of intensified hospital care, including, but not limited to, short-term care in acute medical, surgical and obstetrical services.

"Hotel" means any building or portion of any building with access provided through a common entrance, lobby or hallway, to one or more guest rooms, which are designed

and intended to be used or are used, rented or hired out as temporary or overnight accommodations for guests.

"Household pets" mean, and are limited to, the following pets, maintained principally within a dwelling unit:

1. Domesticated cats;
2. Domesticated dogs;
3. Fish, without limit on number; and
4. Any bird which is:
 - a. Customarily kept in residence with man; and
 - b. Kept, at all times, within a dwelling unit; specifically, "bird" shall not include, among others, for the purpose of these regulations, chickens, hens, roosters, geese or ducks.

"Housekeeping unit" means a single, integrated home-style of living together and sharing of space in a nonexclusive, noncompartmentalized lifestyle with one kitchen, one set of utilities, and one mailing address and with one front door for all persons residing at that location.

"Junior accessory dwelling unit" means a unit that is contained entirely within the walls of a proposed or existing single-family residence which provides living facilities for one or more persons. Junior accessory dwelling units are limited to one per residential lot zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot.

"Kennel" means a place where four or more adult dogs and/or cats are kept, whether by the owner of such dogs and cats or by other persons, providing facilities and care, whether or not for compensation. An "adult" dog or cat, for the purpose of these regulations, is one that has reached the age of four months.

"Kitchen" means any room or space within a building designed and intended to be used for the cooking or the preparation of food.

"Landscaping" means the planting and maintenance of natural and/or artificial trees, shrubs, vines, ground covers, flowers and lawns. In addition, the same may include natural features such as rock and stone; and structural features, including but not limited to, fountains, reflecting pools, art works, screens, walls, fences and benches; "landscaped area" means an area upon which landscaping is required by these regulations to be continuously maintained.

"Livestock" means a use involving the grazing, care and maintenance of cattle and/or horses for commercial or noncommercial purposes.

"Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

"Long-term care facility (mental disorders)" means a state licensed facility of seven-patient capacity or more intended primarily for the admission of chronic mentally ill or mentally disordered or other incompetent persons who are provided medical care, nursing services and intensive supervision.

A long-term care facility (mental disorders) is a subset of residential health care facilities (chronically ill).

"Lot" or "parcel of land" means:

1. A parcel of real property which is shown as a single lot in a lawfully recorded subdivision, approved pursuant to the provisions of the Subdivision Map Act; or
2. A parcel of real property, the dimensions and boundaries of which are defined as a single lot by a lawfully recorded record of survey map; or

3. A parcel of real property shown on a parcel map as a single lot, lawfully recorded pursuant to the provisions of the Subdivision Map Act; or
4. Any parcel of real property otherwise lawfully created and dimensioned prior to October 1, 1955; or
5. Two or more lots which are combined by an appropriate recorded written instrument, or two or more lots which are combined by a common usage, shall be deemed, for all purposes, a single lot.

"Lot area" means the total horizontal area within the boundary lines of a lot or parcel; provided, however, that the following shall be excluded from the computation thereof:

1. Any portion of said lot or parcel which serves as an access easement to any other lot or building site; or
2. Any portion of said lot or parcel which serves as an improved surface flood control project under the jurisdiction of any public agency.

For the purpose of determining area in the case of an irregular, triangular or gore-shaped lot, a line ten feet in length within the lot and farthest removed from the front lot line and at right angles to the line representing the lot depth of such lot shall be used as the rear lot line.

Lot Area, Interior. "Interior lot area" means the total lot area minus: (1) the sum of the ground floor area of all buildings located thereon, and (2) any area used for perimeter landscaping.

Lot, Corner. "Corner lot" means a lot situated at the intersection of two or more streets, which streets have an angle of intersection of not more than one hundred thirty-five degrees.

"Lot depth" means the horizontal length of a straight line drawn from the midpoint of the front lot line and at right angles to such line connecting with a line intersecting the midpoint of the rear lot line and parallel to the front lot line. In the case of a lot having a curved front line, the front lot line, for purposes of this section, shall be deemed to be a line tangent to the curve and parallel to a straight line connecting the points of intersection of the side lot lines of the lot with the front lot line.

Lot, Interior. "Interior lot" means a lot, other than a corner or reversed corner, or through lot.

Lot, Key. "Key lot" means a lot which has a side lot line which is a common lot line with the rear lot line of a reversed corner lot.

Lot Line, Rear. "Rear lot line" means a lot line which is opposite and most distant from the front lot line. For the purpose of establishing the rear lot line of a triangular or trapezoidal lot, or of a lot the rear line of which is formed by two or more lines, the following shall apply:

1. For a triangular or gore-shaped lot a line ten feet in length within the lot and farthest removed from the front lot line and at right angles to the lot depth line shall be used as the rear lot line; and
2. In the case of a trapezoidal lot, the rear line of which is not parallel to the front lot line, the rear lot line shall be deemed to be a line at right angles to the lot depth line and drawn through a point bisecting the recorded rear lot line; and
3. In the case of a pentagonal lot the rear boundary of which includes an angle formed by two lines, such angle shall be employed for determining the rear lot line in the same manner as prescribed for a triangular lot.

In no case shall the application of the above be interpreted as permitting a main building to locate closer than five feet to any property line.

Lot Line, Side. "Side lot line" means any lot line which is not a front or rear lot line.

Lot, Reversed Corner. "Reversed corner lot" means a corner lot, the side lot line of which is substantially a continuation of the front line of a lot which adjoins the rear lot line of said corner lot.

Lot, Through. "Through lot" means a lot having frontage on two approximately parallel streets.

"Lot width" means the horizontal distance between the side lot lines measured at right angles to the lot depth line at a point midway between the front and rear lot lines.

Average width shall be the average of the length of line drawn parallel to the "lot width line" extending toward the front and rear lot lines at ten-foot intervals, but excluding from such determination any prolonged portions of the lot used exclusively for access to a public street or for a driveway.

In computing lot width or average width, the following shall be excluded:

1. Any portion of said width which serves as an access easement to any other lot or building site; and
2. Any portion of said width which serves as an improved surface flood control project under the jurisdiction of any public agency.

"Main commercial street" means Sierra Madre Boulevard, Baldwin Avenue, and the westerly two-thirds of East Montecito Avenue between Baldwin Avenue and Mountain Trail Avenue.

"Map" means the zoning map of the city.

"Manufactured home" means the same as "modular home."

"Manufacturing" means the creation of a product from raw materials.

"May" is permissive.

"Medical and/or dental clinic" means any facility providing health service, or medical, surgical or dental care of the sick or injured, but shall not include inpatient or overnight accommodations. "Medical clinic" includes health center, health clinic, doctors' and dentists' offices.

"Mobilehome" means a mobilehome defined as such in the Mobilehome Park Law (Health and Safety Code, Section 18000 et seq.).

"Mobilehome park" means any lot where mobilehomes and/or sites are rented or leased or offered for rent or lease.

"Mobilehome site" means that portion of a mobilehome park designated for use or occupancy of one mobilehome and including all appurtenant facilities thereon.

"Modular home" means factory constructed, single-family one-story detached dwellings, certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, with approved sticker attached, and placed on full, approved foundation systems and permanently anchored thereto.

"Motel" means one or more buildings containing rooms, each having a separate entrance leading directly from the outside of the buildings or from an inner court, which rooms are designed for rental for temporary or overnight accommodations for guests, and are offered primarily to automobile tourists or transients by signs or other advertising media. "Motel" includes auto courts, motor lodges and tourist courts.

"Nonconforming building or structure" means a building or structure, or portion thereof, which was lawfully altered or constructed in accordance with the then existing zoning regulations of the city, but which did not comply with subsequently adopted zoning regulations, or which does not conform to these regulations.

"Nonconforming use" means the utilization of any lot, building, buildings or structures, or any combination thereof, which use, when established, conformed to the then existing zoning regulations, but which did not comply with subsequently adopted zoning regulations, or which does not conform to these regulations.

Notice. Whenever written notice is required to be given by personal service thereof upon the person or persons to be notified, or by United States mail, postage prepaid, addressed to such person or persons at his last known address; such notice shall be conclusively deemed to have been given as of the time of personal service, or as of the time the same is deposited in the course of postal transmission.

"Nursery (developmentally disabled)" means a state-licensed facility intended primarily for the admission of nonambulatory intellectually disabled patients, who are provided nursing services primarily in crib accommodations serving six or fewer persons. Nursery (developmentally disabled) is a subset of residential health care facilities (chronically ill).

"Nursery school" means the same as "child care center."

"Open space" means an area other than a required yard area, driveway or off-street parking facility, which has no building or structure located therein, except for those used exclusively for recreational purposes. To meet the requirement of open space such area, referred to as usable open space, shall meet the following:

If the same is located upon the ground, or upon the roof of a subterranean garage, such contiguous area shall not be less than five hundred square feet in area; and

If the roof of such subterranean garage is utilized for such open space all such roof areas may be utilized for such open space provided that the same is not in excess of two feet above the grade of the lot immediately adjacent thereto; and

That where such open space is located on any roof area, other than a subterranean garage, not to exceed twenty-five percent of such roof area may be utilized to meet the open space requirement.

Parking Space, Off-Street. "Off-street parking space" means a readily accessible area on a lot, not including driveways, ramps, loading or work areas, maintained exclusively for the parking of one automobile.

"Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

"Perimeter landscaping" means any landscaping required by the provisions of this code which is adjacent to, and runs substantially parallel with, any property line of the lot for which such landscaping is required.

"Person" means any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, district, public agency, public utility, or any group or combination acting as a unit; "person" shall not include the city.

"Plural." When consistent with the context, words in plural include the singular.

"Preschool child care center" is a licensed facility that serves children ages two to four.

"Primary use" or "principal use" means the main purpose for which a lot is developed and occupied, including the activities that are conducted on the lot a majority of the hours during which activities occur.

"Prime storefront area" means that portion of a building located on the first floor, from the property line facing a main commercial street back to a depth of fifty feet.

"Processing" means, when used in reference to a commercial or industrial use, one or more acts or operations which have the effect of changing the form of a product or material, so as to render the same more salable or usable.

"Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

"Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

"Recorder" means the county recorder of the county of Los Angeles.

"Regulations" means the provisions of this title.

"Residential care for the chronically ill" is a facility that provides care and supervision to adults who have terminal illness and is a subset of residential health care facilities (chronically ill).

"Residential care facility for the elderly" means a licensed housing arrangement chosen voluntarily by persons sixty years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision, personal care, or health-related services are provided, based upon their varying needs, as determined in order to be admitted and to remain in the facility. Persons under sixty years of age with compatible needs may be allowed to be admitted or retained in a residential care facility for the elderly as specified in Section 1569.316 of the Health and Safety Code. Residential care facilities for the elderly are comprised of assisted living facilities, and continuing care retirement communities. Facilities serving six or fewer persons are allowed in residential zones.

"Residential health care facilities (chronically ill)" are licensed by the state department health services and state department of mental health serving six or fewer persons. These include congregate living health facilities, which provide in-patient care who may be terminally ill, ventilator dependent, or catastrophically and severely disabled, and intermediate care facilities for persons who need intermittent nursing care. Residential health care facilities (chronically ill) are comprised of adult residential facilities for persons with special health care needs, long-term care facility (mental disorders), nursery (developmentally disabled), and residential care for the chronically ill.

"Residential school (developmentally disabled)" means a state-licensed facility intended primarily for the admission, care, and treatment of educable and trainable developmentally disabled patients. The facility shall provide an educational program on the premises as one of its services. Residential school is a subset of a community care facility.

"School aged child care facility" is a state licensed facility that serves children ages five to seventeen.

"Secretary" means the secretary of the commission. The responsibilities of the commission's secretary will be performed by city staff when the secretary position is vacant.

"Service station" is a retail place of business engaged primarily in the sale of motor fuels, but also engaged in supplying goods and services generally required in the operation and maintenance of motor vehicles. Such goods and services include sale of petroleum products; sale and servicing of tires, batteries and automotive accessories; washing and lubrication services; the performance of minor automotive maintenance and repair; and the supplying of other incidental customer services and products. Major automotive repairs, painting, body and fender work, and automobile or truck rental or storage shall not be deemed permitted as a part of such service station usage.

"Shall" is mandatory.

"Short-term rental" refers to a rental whereby a residence or a portion of a residence is rented to a tenant for a period of than thirty days or less.

Singular. When consistent with the context, words in the singular number shall include the plural.

"Sorority" means the same as "club, private."

"State" means the state of California.

"Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused underfloor space is more than six feet above pre-existing or natural grade as defined herein for more than fifty percent of the total perimeter or is more than twelve feet above grade as defined herein at any point, such useable or unusable underfloor space shall be considered as a story.

"Street" means a public or private way permanently reserved as a primary means of vehicular access to adjoining property; "street" shall not include an "alley."

Street Frontage. See "Frontage, street."

"Structural alterations" means any change in the supporting members of a building such as foundation, bearing walls, columns, beams, floor or roof joints, girders or rafters, or changes in roof or exterior lines.

"Structure" means anything constructed or erected which requires location on the ground or attached to something having a location on the ground.

Except: Fences or walls less than three feet in height located in any required yard area, provided the same are not adjacent to any property line and do not interfere with, divert, block or channel surface water run-off. All fences and walls (regardless of height) adjacent to property lines and those which interfere with, divert, block or channel surface water run-off. All fences and walls (regardless of height) adjacent to property lines and those which interfere with, divert, block or channel surface water run-off shall not be excepted.

"Supportive housing" means housing with no limit on length of stay that is occupied by the target population as defined in Government Code Section 65582(i), and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live, and when possible, work in the community.

"Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

Tenses. When consistent with the context, words used in the present tense include the past and future tenses and words in the future tense include the present tense.

"Tent" means any structure, temporary or permanent, constructed of canvas or other cloth or material attached to, and encloses, a framework that is intended to provide shelter to an area.

Trailer, Automobile. "Automobile trailer" means a vehicle without motor power, designed to be drawn by a motor vehicle and to be used for human habitation or for carrying persons and property, including a trailer coach and any self-propelled vehicle having a body designed for the same uses as an automobile trailer without motor power.

Trailer Park, Trailer Court and Public Camp. Any or all of them shall mean any area or tract of land used or designed to accommodate one or more automobile trailers or one or more camp parties, including tents or other camping outfits and including trailer camps as defined by state law.

"Transfer station" means an area, including any necessary building or structures, for the temporary storage and the salvage of rubbish, garbage or industrial waste.

"Target population" is defined as adults with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health problems; and persons eligible for services under the Lanterman Development Disabilities Act, which provides services to persons with developmental disabilities that originate before the person turned eighteen.

"Transitional housing" means rental housing provided to facilitate the movement of homeless individuals or families to conventional housing. Transitional housing may take the form of single-family or multi-family units, and may include supportive services, as defined in Government Code section 65582(h), operated under program requirements to allow individuals or families to gain necessary life skills in support of independent living. This type of housing may be occupied by a program recipient for a minimum of six months up to a maximum of two years, at which time it may be recirculated to another eligible program recipient.

"Triplex" means the same as "dwelling, three-family."

"Use" means the utilization of a lot, building, structure or any combination thereof.

"Writing" includes any form of message recorder in English and capable of visual comprehension.

"Yard" means an open space, other than a court bounded on three or more sides by the exterior walls of a building, on a lot unoccupied and unobstructed from the ground upward, except as otherwise provided in this chapter. Wherever in this chapter required yards are prescribed, the same shall be established from the boundary line of such lot or parcel; provided, that the following shall be excluded, and the boundary line shall be deemed to be the interior line of:

1. Any portion of said lot or parcel which serves as an access easement to any other lot or building site;
2. Any portion of said lot or parcel which serves as an improved surface flood control project under the jurisdiction of any public agency.

Yard, Front. "Front yard" means an area extending across the full width of the lot and lying between the front lot line and a line parallel thereto, and having a distance between them equal to the required front yard depth as prescribed in each zone. Front yards shall be measured by a line at right angles to the front lot line, or by the radial line in the case of a curbed front lot line. When a lot lies partially within a planned street indicated on a precise plan for such a street and where such planned street is of the type that will afford legal access to such lot, the depth of the front yard shall be measured from the contiguous edge of such planned street in a manner prescribed in this definition.

Yard, Rear. "Rear yard" means a yard extending across the full width of a lot, immediately adjacent to the rear lot line thereof. The depth of a required rear yard shall be the specified horizontal distance measured between the rear lot line and a line parallel thereto on the lot.

Yard, Rear Line of Required Front. "Rear line of required front yard" means a line parallel to the front lot line and at a distance therefrom equal to the depth of the required front yard, and extending across the full width of the lot.

Yard, Required Setback. For purposes of the restriction of any structure exceeding forty-two inches in height, the term "setback" includes any required yard, front, side or back.

Yard, Side. "Side yard" means a yard between the main building and the side lot lines extending from the rear line of the required front yard, or the front lot line where no front yard is required, to the beginning of the required rear yard line, and at right angles to the nearest point of a side lot line towards the nearest part of a main building.

"Zoning map" or "map" means the official zoning map of the city.

SECTION 3. Amendment. Section 17.82.060 (Benefits and conditions of designation) of Chapter 17.82 (Historic Preservation) of Title 17 (Zoning) is amended to read as follows:

17.82.060 – Benefits and conditions of designation.

- A. Conditions for Benefits.
 - 1. Benefits shall only be available for structures listed on the city's register of historic landmarks and subject to this chapter at time for which application for financial benefits is made.
 - 2. Historic landmarks must be maintained in reasonable condition in accordance with the Secretary of Interior's Standards for Rehabilitation.
 - 3. In order to qualify for benefits, owners of historic landmarks must submit plans for rehabilitation or restoration to the commission for review to ensure that the work is undertaken in accordance with the Secretary of the Interior's Standards for Rehabilitation. Ordinary repair and maintenance is exempted, per Section 17.82.130 of this chapter.
- B. The property owner of a historic landmark in compliance with the above conditions may receive benefits including the following and any others established as policy of the city council:
 - 1. Waiver of city building permit and plan check fees as established by resolution of the city council;
 - 2. Use of the State Historical Building Code (SHBC) as the governing building code. The SHBC provides alternative building regulations to facilitate rehabilitation, preservation, restoration or relocation;
- C. In addition to the benefits afforded to the property owner of a historic landmark provided in subsection (B) of this section, the property owner of a historic landmark in compliance with the above conditions may receive one of the following benefits:
 - 1. Mills Act contracts approved by the city council; or
 - 2. Change of use, subject to a conditional use permit granted by the planning commission pursuant to Section 17.60, to facilitate adaptive reuse of historic landmarks in accordance with section 17.82.065.

SECTION 4. Amendment. Section 17.85.030 (Permit required) of Chapter 17.85 (Home Occupations) of Title 17 (Zoning) is amended to read as follows:

17.85.030 – Permits and city business license required.

- A. No home occupation may be established and conducted without first obtaining a home occupation permit pursuant to the provisions of this chapter, and a city business license pursuant to the provisions of Title 5 of the Sierra Madre Municipal Code.
- B. If a business license issued in connection with a home occupation is not active (i.e. expiration from failure to renew on time, termination, suspension, revocation), the associated home occupation permit shall be null and void.
- C. A home occupation that occasionally conducts activity related to, but more intense than, the activity for which it was permitted may do so if authorized by temporary use permit pursuant to Chapter 17.88 of this code. The timing of such an application shall be submitted in compliance with section 17.88.030(F).

SECTION 5. Amendment. Section 17.85.040 (Home occupations-Permitted) of Chapter 17.85 (Home Occupations) of Title 17 (Zoning) is amended to read as follows:

17.85.040 Home occupations—Ministerial.

Applications for home occupations may qualify for ministerial review if the application satisfies the following elements:

- A. That the home occupation will not generate any pedestrian or vehicular traffic nor require the use of any street or public facility for parking.
- B. That in no way will the appearance of any structure or the conduct of the business be such that any portion of the premises may be reasonably recognized as serving a nonresidential use, either by color, form, or materials of construction.
- C. That no portion of any garage in conflict with the minimum residential parking requirements pursuant to Chapter 17.68 of the Sierra Madre Municipal Code will be used for the home occupation. Such garage area not in conflict (i.e. work or storage areas) may be used for the home occupation provided that the application be supplemented with a floor plan of the garage clearly delineating the parking area from other area. No equipment, tools, furniture and other similar appurtenances of any kind may be allowed under this provision.
- D. That no visible signage, or other forms of exterior identification, which identifies the home occupation will be installed or otherwise placed on any part of the property where the home occupation is located.
- E. That the home occupation will not create any condition pursuant to Chapter 8.16 (Site Nuisances) of this code.
- F. That no more than one city business license issued in connection with a home occupation permit per dwelling unit will be active at any one time.
- G. That all aspects of the home occupation will be conducted entirely within an enclosed structure. Articles, tools, materials, merchandise, products, activities and other related items or actions produced or used in conjunction with the home occupation shall not be stored, displayed or conducted outdoors.
- H. Except when a home occupation is for a short-term rental for the sole purpose of transient occupancy for periods of no more than thirty (30) consecutive days and where guest count does not exceed two (2) persons per bedroom, that not more than the greater of (i) twenty-five percent of the total floor area of all structures on the property directly associated with the dwelling unit where the home occupation will occur, excluding the garage, or (ii) four hundred square feet will be occupied for the "home occupation." Any construction, structural alterations or addition(s) to the main or accessory building shall be designed to be completely useable for a residential purpose.

SECTION 6. Amendment. Section 17.85.050 (Home occupations-Discretionary) of Chapter 17.85 (Home Occupations) of Title 17 (Zoning) is amended to read as follows:

17.85.050 Home occupations—Discretionary.

If an application for a home occupation does not satisfy all of the elements of Section 17.85.040, it may qualify for discretionary review if the applicant can demonstrate that the home occupation conforms to the purpose and intent of the Section 17.85.010 provisions, and the following criteria:

- A. That the home occupation will not generate any pedestrian or vehicular traffic above that which is normal, or reasonable, for the district where the home occupation is located nor unreasonably overload street parking or public parking facilities nor create a nuisance.
- B. That in no way shall the appearance of any structure or the conduct of the business be such that any portion of the premises may be reasonably recognized as serving a nonresidential use, either by color, form, or materials of construction.

- C. That no portion of any garage in conflict with the minimum residential parking requirements pursuant to Chapter 17.68 of the Sierra Madre Municipal Code will be used for the home occupation. Such garage area not in conflict (i.e. work or storage areas) may be used for the home occupation provided that the application be supplemented with a floor plan of the garage clearly delineating the parking area from other area. Non-fixed equipment, tools, furniture and other similar appurtenances individually weighing not more than fifty pounds (50 lbs.) may be allowed provided the application be further supplemented with a schedule of equipment and specifications.
- D. That no visible signage, or other forms of exterior identification, which identifies the home occupation will be installed or otherwise placed on any part of the property where the home occupation is located.
- E. That the home occupation will not create any condition pursuant to Chapter 8.16 (Site Nuisances) of this code.
- F. That no more than two city business licenses issued in connection with a home occupation permit per dwelling unit will be active at any one time.
- G. For home occupation activity outside an enclosed structure, that the home occupation will not be visually detrimental to the residential character of the neighborhood.
- H. Except when a home occupation is for a short-term rental for the sole purpose of transient occupancy for periods of no more than thirty (30) consecutive days and where guest count does not exceed three (3) persons per bedroom, that not more than fifty percent of the total floor area of all structures on the property directly associated with the dwelling unit where the home occupation will occur, excluding the garage, will be occupied for the "home occupation." Any construction, structural alterations or addition(s) to the main or accessory building shall be designed to be completely useable for a residential purpose.
- I. For home occupations requiring on-site employment of help inconsistent with the definition under section 17.85.020 and by someone other than the resident family, a maximum of one employee may be employed on-site, provided that the applicant shall maintain on-site parking in addition to spaces required pursuant to Chapter 17.68. When requested by the director, the applicant shall demonstrate that the location of the employee parking shall not be a disruption or create an adverse impact to the residential character of the neighborhood.

SECTION 7. Amendment. Section 17.85.060 (Permit procedures) of Chapter 17.85 (Home Occupations) of Title 17 (Zoning) is hereby deleted amended to read as follows:

17.85.060 Prohibited uses.

A home occupation shall not be permitted for any of the following uses, unless otherwise pre-empted by state law:

- A. Any uses described under Chapter 5.52 (Sale and Display of Narcotic Paraphernalia) of this code;
- B. Any uses described under Chapter 5.56 (Massage Therapy, Massage Business or Establishment) of this code;
- C. Any uses described under Chapter 5.58 (Licensing of Tobacco Retailers) of this code;
- D. Any uses prohibited under Chapter 17.10 (Uses Related to Marijuana) of this code;
- E. Any uses prohibited under section 17.36.025 (Adult businesses) of this code;

SECTION 8. Amendment. Section 17.85.070 (Revocation of permit) of Chapter 17.85 (Home Occupations) of Title 17 (Zoning) is amended to read as follows:

17.85.070 Burden of proof.

Before any home occupation permit is granted, the application shall show, to the reasonable satisfaction of the reviewing authority, the existence of the following facts:

- A. That the home occupation is a reasonable use of land given the purposes of the general plan, the land use designation and the zone in which the home occupation is located;
- B. That the home occupation will not impede the reasonable use of land or the orderly development of land in the immediate vicinity;
- C. That the home occupation will not endanger the public health, safety or general welfare;
- D. That the home occupation is consistent with all applicable standards of this code;
- E. For home occupation activity outside of an enclosed structure, that the home occupation is not visually detrimental to the residential character of the neighborhood;
- F. For a home occupation with on-site employment of help inconsistent with the definition under section 17.85.020 and by someone other than the resident family, that the site where the home occupation activity will be conducted provides adequate improved parking area for the employee.

SECTION 9. Addition. Section 17.85.080 (Permit procedures) of Chapter 17.85 (Home Occupations) of Title 17 (Zoning) is hereby added to read as follows:

17.85.080 Permit procedures.

Upon the receipt of an application for a home occupation permit showing, to the reasonable satisfaction of the reviewing authority the existence of facts as required under section 17.85.070, the director shall determine if the proposed home occupation is "ministerial" pursuant to the provisions of Section 17.85.040 or is "discretionary" pursuant to the provisions of Section 17.85.050.

- A. If the proposed home occupation qualifies as "ministerial," the director shall approve the home occupation and notify the director of finance.
- B. If the proposed home occupation qualifies as "discretionary," the following provisions shall apply:
 - 1. The director may refer any application for home occupation qualifying as "discretionary" to the planning commission if the director determines at the director's sole discretion that the proposed home occupation has the potential to result in significant impacts detrimental to the residential character of the neighborhood in which it is proposed to be conducted.
 - 2. The applicant shall submit a completed application form and a complete written description of the proposed home occupation which shall include but not be limited to, anticipated hours of operation, anticipated storage of materials and supplies, anticipated amount of pedestrian and/or vehicular traffic which the home occupation will generate, and a graphic representation of the location of the proposed home occupation activity within the subject residence and/or accessory structure(s).
 - 3. The applicant shall provide with the submittal of a home occupation permit application a mailing list of all property owners within a three-hundred-foot radius of the property where the home occupation is proposed. Said mailing list shall include at least two sets of self-adhesive mailing labels. The director shall notify by mail all property owners within a three-hundred-foot radius of the pending home occupation application. Said notification shall describe the proposed home occupation and shall provide a comment period of not less than fourteen calendar days.
 - 4. Upon the consideration of any comments received, the reviewing authority may approve, or conditionally approve, the home occupation if the proposed

home occupation is determined not to be detrimental, or otherwise be inconsistent with the residential character of the neighborhood in which it is proposed to be conducted.

5. The director shall notify the director of finance that a home occupation has received a discretionary approval.
6. If the reviewing authority determines that the proposed home occupation activity will be detrimental, or otherwise be inconsistent with the residential character of the neighborhood, the home occupation shall be denied.

SECTION 10. Addition. Section 17.85.090 (Conditions of approval) of Chapter 17.85 (Home Occupations) of Title 17 (Zoning) is hereby added to read as follows:

17.85.080 Conditions of approval

A. **Home Occupation Permits.** Unless modified through discretionary review pursuant to subsection (B) of this section, the applicant of a ministerial or discretionary home occupation and/or the operator of a home occupation shall, upon approval of a ministerial or discretionary home occupation permit, ensure that the activity conducted by the home occupation complies at all time with all of the following conditions:

1. Upon a determination of approval for any home occupation permit, the applicant shall within ten (10) business days from approval execute and deliver to the director an affidavit of acceptance of conditions on a form to be provided by the Planning & Community Preservation Department.
2. The use shall not generate any pedestrian or vehicular traffic nor use any street or public facility for parking;
3. In no way shall the appearance of any structure or the conduct of the business be such that any portion of the premises may be reasonably recognized as serving a nonresidential use, either by color, form, or materials of construction;
4. In no way shall any portion of any garage will be used for the home occupation, except for work and/or storage areas not in conflict with the minimum residential parking requirements pursuant to Chapter 17.68 of the Sierra Madre Municipal Code as demonstrated by the garage floor plan supplemented with the application for home occupation. No equipment, tools, furniture and other similar appurtenances of any kind shall be allowed by this condition;
5. No visible signage, or other forms of exterior identification, which identifies the home occupation shall be installed or otherwise placed on any part of the property where the home occupation is located;
6. The home occupation shall not create any condition pursuant to Chapter 8.16 (Site Nuisances) of this code;
7. No more than one home occupation permit and associated business license shall be issued for the dwelling unit.
8. All aspects of the home occupation shall be conducted entirely within an enclosed structure. Articles, tools, materials, merchandise, products, activities and other related items or actions produced or used in conjunction with the home occupation shall not be stored, displayed or conducted outdoors;
9. Not more than fifty percent of the total floor area of all structures on the property, excluding the garage, shall be occupied for the home occupation except for a short-term rental for the sole purpose of transient occupancy for periods of no more than thirty (30) consecutive days in which case the guest count shall not exceed two (2) persons per bedroom;

- B. **Discretionary home occupations.** Upon the approval of a discretionary home occupation permit, the reviewing authority may add any condition or modify any of the conditions above in subsection (A) of this section as may be deemed reasonable and necessary to preserve the public health, safety and general welfare.

SECTION 11. Addition. Section 17.85.100 (Revocation or modification of permit) of Chapter 17.85 (Home Occupations) of Title 17 (Zoning) is hereby added to read as follows:

17.85.100 Revocation or modification of permit.

- A. Upon the determination by the director that the home occupation may be a detriment to the character of the neighborhood in which it is located, or is not operating in conformance with the provisions of this chapter and/or the conditions of approval on which the home occupation permit was granted, the director shall place the matter before the planning commission for consideration of revocation or modification.
- B. The planning commission may revoke the home occupation permit and determine that the subject use is an impermissible home occupation and an illegal use of residential property if the following findings exist:
1. The home occupation, by virtue of its location, extent of use or other specific criteria or evidence conflicts with the purpose and intent of this chapter, and has become a detriment or otherwise inconsistent with the residential character of the neighborhood in which it is located;
 2. The home occupation is in violation of the provisions of this chapter and/or conditions of approval, as applicable;
 3. The activities deemed to be detrimental and inconsistent with the residential character cannot be corrected by curative conditions.
- C. The determination of the planning commission may be appealed to the city council pursuant to the provisions of the Sierra Madre Municipal Code.

SECTION 12. Addition. Section 17.85.110 (Appeals) of Chapter 17.85 (Home Occupations) of Title 17 (Zoning) is hereby added to read as follows:

17.85.110 Appeals.

- A. **Appeals of director determination.** Any decision by the director pursuant to the provisions of this chapter may be appealed to the planning commission within fourteen calendar days from the date of the determination. Such appeal shall be made in writing and be accompanied by an appeal fee designated in the city of Sierra Madre fee schedule. Upon the receipt of an appeal, the director shall notify all concerned parties and schedule the appeal for the first available planning commission meeting. The determination of the planning commission shall be final unless appealed to the city council pursuant to the provisions of the Sierra Madre Municipal Code.
- B. **Referral to planning commission.** If the director referred the application for home occupation to the planning commission pursuant to subsection B of section 17.85.080, then the decision of the planning commission may be appealed to the city council in accordance with Chapter 17.66 of this code.

SECTION 13. Amendment. Section 17.88.020 (Allowable uses of permits) of Chapter 17.88 (Temporary Use Permits) of Title 17 (Zoning) is amended to read as follows:

17.88.020 Allowable uses of permits.

- A. Temporary Use Permits Authorized. No person may use private property in a manner that is inconsistent with the permanently entitled authorized use of the private property, even if the use is of limited duration, unless a temporary use

its zoning under the General Plan and/or

In accordance with provisions set forth herein,

permit is issued therefore or the First Amendment would prohibit the city from requiring compliance with this chapter. The city may issue a temporary use permit in any zone in the city, to authorize any temporary use of property, including, but not limited to, those uses set forth in subsection C of this section. A temporary use permit may authorize a temporary use, even if the use itself could not be authorized in the zone on a permanent basis. Commercial uses in any zone ~~which has a primary designation of residential is discouraged.~~ are prohibited.

- B. Uses Must Be "Temporary". A temporary use permit may be authorized only for uses that will be conducted on a "temporary" basis. For these purposes, "temporary" means:
1. Duration.
 - a. The use will occur at the property as often as daily during the period specified in the permit, and will not span more than forty-five days, inclusive of setup and takedown operations on any parcel within the Measure V area boundary; or
 - b. The use will occur at the property for a period not to exceed twenty-four hours, inclusive of setup and takedown operations on any parcel outside the Measure V area boundary.
 2. Frequency. The use will occur at the property no more than ~~four~~ ^{two} times per twelve-month period.
- C. Specific Regulations. The following additional specific regulations apply to the following types of temporary uses, and supersede any inconsistent more general regulations set forth in this chapter:
1. Carnivals. Carnivals, circuses and similar events may be permitted for a period of up to ten days within any twelve-month period, and no such activity shall be conducted for longer than five consecutive days at one time. Certification of the safety of rides shall be made by a professional engineer, registered in the state of California, which certification shall be provided to the building official prior to the commencement of the use of the equipment. The applicant shall also provide a site safety plan (site layout of the carnival) and include a parking plan for its employees and those persons associated with the carnival.
 2. Special Events. If a special events permit was issued pursuant to Chapter 12.34, and the use of the subject property is merely incidental to use of public property authorized pursuant to the special events permit, then the director shall approve the temporary use of the property, and shall impose conditions consistent with the purposes of the conditions imposed by the special events permit. If, however, the use of the private property is not merely incidental to the special events permit, then compliance with the other provisions of this chapter is required as if there were no special events permit issued for the use. The applicant shall provide a site safety plan (site layout of the special event) and include a parking plan for those persons associated with the special event.
 3. Seasonal Retail Sales. Otherwise vacant portions of privately owned property may be used for seasonal-related retail sales. Examples of such uses, without limitation, include pumpkin patches and Christmas tree lots. **In addition to meeting the requirements of subsection B.1 of this section, the applicant shall provide:**
 4. Sales Promotions. Applications for the temporary display, exhibit and sale of goods, merchandise and equipment, and temporary display facilities, canopies and ancillary items relating thereto, to be utilized in conjunction with special promotional events, may be approved by the director pursuant to the provisions of this chapter. The length of any one promotional event shall not exceed seven consecutive days. A maximum of three such promotional events may occur at the same location or property within any twelve-month period.

5. Temporary Signs. Temporary signs shall comply with the requirements of Chapter 17.72, "Signs".
- D. Exemptions.
1. House Parties. Private, noncommercial gatherings of up to forty-nine people, inclusive of all persons onsite.
 2. Publicly Owned Property. Events that are to be conducted on publicly owned property pursuant to Chapter 12.34 of this code.
 3. Filming Permits. Activities associated with an approved city film permit issued pursuant to chapter 5.36 of this code.
 4. Construction Yards—On-site. On-site contractors' construction yards in conjunction with an approved construction project on the same site. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the companion building permit authorizing the construction project, whichever first occurs.
 5. Emergency Facilities. Emergency public health and safety needs/land use activities.
 6. Institutional Uses. Temporary use permits for properties with a general plan land use designation or zoning designation of "institutional" shall be regulated by the applicable master plan or conditional use permit under Chapter 17.38 of this code. If the master plan or conditional use permit does not regulate temporary use permits, then the property will be regulated under this chapter.

SECTION 14. Amendment. Section 17.88.030 (Temporary use permit application) of Chapter 17.88 (Temporary Use Permits) of Title 17 (Zoning) is amended to read as follows:

17.88.030 Temporary use permit application.

A temporary use permit may not be issued unless an application is submitted to the director that meets the following requirements:

- A. Forms. Applications for temporary use permits shall be made on forms provided by the director. Temporary use permit applications shall include appropriate submittal materials as deemed necessary by the director, **including public notice requirements.**
- B. Filing Fee. Each application shall be accompanied by a filing fee in an amount as set forth by resolution of the city council, except that no such fee shall be required from any of the following:
 1. An applicant who states in its application that it is exempt from the payment of business license taxes, pursuant to the provisions of Title 5 of this code and requests waiver of the fees on these grounds,
 2. Any use which is for an event conducted for the purpose of engaging in constitutionally protected expression,
 3. Any temporary use that is incidental to the use permitted pursuant to a special events permit issued pursuant to Chapter 12.34, except that if the costs of the temporary use permit fee would be higher than the special events permit fee but for this exemption, then the temporary use permit fee shall be the difference between the two.
- C. Cash Deposits. Cash security deposits may be required by the director to insure that all city property (e.g., sidewalks, streets, and parks) surrounding the temporary use is well maintained and properly cleared and cleaned at the conclusion of the temporary activity. The deposit may be used to offset costs which may be incurred by the city in the event that city property must be cleared or cleaned by city personnel. Any unused portion of the deposit shall be returned to the applicant.
- D. Permits Required. Each applicant shall apply for, and obtain, any necessary building, electrical and/or mechanical permits for the requested temporary use. Upon request, the applicant shall submit safety certification and/or permits for any equipment to be used as a component of the temporary use;

Rational: Forty-five days gives plenty of time for public notice and for residents to respond.

- E. Other Permits. Each applicant shall comply with all other requirements of the Municipal Code, including the requirements of Chapter 5.04 ("Business Licenses Generally"), Chapter 5.08 (Business License Fees), Chapter 12.12 (Obstruction of Streets, Sidewalks and Public Places), and Chapter 12.16 (Excavations).
- F. Timing of Application. Except as otherwise provided in subsection E of this section, each application shall be submitted not less than ⁴⁵ ~~thirty~~ days nor more than ~~twelve months~~ prior to the date(s) of the proposed temporary use. ~~Applicants are encouraged to submit applications at least forty-five days prior to any the date(s) of the proposed temporary use.~~
- G. Constitutional Protections. If an application for a permit to conduct an event for the purpose of engaging in constitutionally protected expression is received less than ⁴⁵ ~~thirty~~ days before the proposed event date, it shall be accepted for processing, if the director finds that the circumstance that gave rise to the permit application did not reasonably allow the participants to file an application within the time prescribed by this section. The director shall decide whether an application meets such test for late submittal within two business days after receipt of the complete application. ~~If an application for a permit to conduct an event which is not for the purpose of engaging in constitutionally protected expression is received less than thirty days before the proposed event date, the director may accept it for processing, if, in his/her reasonable discretion, he/she determines that good cause exists for such late submittal.~~
- H. Event Monitor. A commercial temporary use permit must include, as a condition of approval, a requirement to have an event monitor on-site for the duration of any event taking place outside the Measure V area boundary and anticipating or realizing fifty or more people in attendance. The cost of the event monitor will be paid by the city and reimbursed by the applicant. The event monitor will serve as the liaison between the applicant, the city, residents, and businesses on the day of the event and will confirm that the applicant is abiding by the terms of the temporary use permit, this code, and state law.

SECTION 15. Amendment. Section 17.88.040 (Action on application) of Chapter 17.88 (Temporary Use Permits) of Title 17 (Zoning) is amended to read as follows:

17.88.040 Action on application.

- A. Director as Decision Maker. Except as otherwise provided in this chapter, the director is the decision maker on every application for a temporary use permit and shall approve, conditionally approve or deny each application pursuant to the provisions of this chapter.
- B. Constitutionally Protected Expression. The director shall take action on an application to conduct an event which is for the purpose of engaging in constitutionally protected expression within two business days after receipt of the complete application. If an aggrieved party wishes to file an appeal from such a determination, or relating to the conditions of approval, the applicant has the choice of whether the appeal shall be heard by the city manager, or whether the appeal shall proceed directly to the city council.
 - 1. If the city manager is to hear the appeal, the city manager shall hold a hearing no later than two business days after the filing of the appeal, and will render a decision no later than one business day after hearing the appeal.
 - 2. If the applicant opted to appeal directly to the city council, or the applicant appeals the city manager's decision issued pursuant to subsection 1 immediately above, the appeal shall be processed in the same manner as an appeal from a decision by the planning commission under Chapter 17.66.
- C. Notice of Right to Appeal. Notice of the issuance of either a commercial permit or the second or greater non-commercial permit in a twelve-month period must be

Rational: This more thoroughly covers all impacted properties.

five

provided to every residential address within a ~~three~~-hundred foot radius of the property. If an application is denied, the director shall inform the applicant in writing of the grounds for denial, and the right of the applicant to appeal, pursuant to the provisions of this chapter. All notices must be provided within ten days of the director's decision.

- D. Director Referral to Planning Commission. Except with respect to applications to conduct events which are for the purpose of engaging in constitutionally protected expression, the director may elect to refrain from acting on an application, and may instead refer the application to the planning commission for timely action, subject to all requirements of this chapter.
- E. ~~Late Applications. With respect to an untimely application, if the director decides that an application does not meet the criteria for late acceptance for processing he/she shall so inform the applicant within two business days of receipt of the application, and shall also inform the applicant of the right to appeal such determination, pursuant to the provisions of this chapter.~~

SECTION 16. Amendment. Section 17.88.050 (Temporary use permit findings) of Chapter 17.88 (Temporary Use Permits) of Title 17 (Zoning) is amended to read as follows:

17.88.050 Temporary use permit findings.

- A. Standard Applications. For applications for uses that do not have the purpose of engaging in constitutionally protected expression, temporary use permits may be approved pursuant to the provisions of this chapter only upon the making of the following findings:
1. Non-Commercial Use
 - a. That the temporary use permit is compatible with the applicable provisions of this code;
 - b. The temporary use is a reasonable use of land given the purposes of the general plan, the land use designation and the zone in which the temporary use would be located;
 - c. That the temporary use will not impede the reasonable use of land or the orderly development of land in the immediate vicinity;
 - d. That the temporary use will not endanger the public health, safety or welfare;
 - e. That the applicant has not exceeded the allowable use permits in the preceding twelve-month period;
 - f. The applicant has not violated a condition of a prior temporary use permit within a twenty-four-month period;
 - g. That the frequency of temporary use permits at a single property is not causing undue intensity to the surrounding area. Each application in a twelve-month period should have a higher hurdle to protect the local area from increase in intensity.
 2. Commercial Use
 - a. That the use is not occurring in a zone which has a primary designation of residential ~~unless such use is very low impact, or very low increase in intensity.~~ **Weak and ambiguous, and unenforceable.**
 - b. That the temporary use permit is compatible with the applicable provisions of this code;
 - c. The temporary use is a reasonable use of land given the purposes of the general plan, the land use designation and the zone in which the temporary use would be located;
 - d. That the temporary use will not impede the reasonable use of land or the orderly development of land in the immediate vicinity;
 - e. That the temporary use will not endanger the public health, safety or welfare;

- f. That the applicant has not exceeded the allowable use permits in the twelve-month period;
- g. The applicant has not violated a condition of a prior temporary use permit within a twenty-four-month period. In the event that complaints were received regarding previous uses, this should limit, discourage, or prevent approval of all subsequent permits;
- h. The temporary use does not overly increase the intensity of the surrounding available parking;
- i. The temporary use will comply with all portions of the code, including Chapter 9.32 ("Noise").

B. First Amendment Applications. For applications for a use that is to engage in constitutionally protected expression, temporary use permits shall be approved pursuant to the provisions of this chapter if the following findings are made:

- 1. The temporary use will comply with all portions of the code, including Chapter 9.32 ("Noise").
- 2. The use will not constitute a public nuisance.
- 3. The temporary use will not endanger the public health, safety or welfare.

SECTION 17. California Environmental Quality Act. The City Council has considered all of the evidence in the record, including the staff reports, the testimony received during the public hearing on the matter held by the City Council, and hereby determines that the text amendments will not have a significant effect on the environment. The amendments to Chapter 17.88 (Temporary Use Permits) of Title 17 (Zoning) of the Sierra Madre Municipal Code) **consist of general "clean up" of this Ordinance** and is therefore exempt from California Environmental Quality Act review pursuant to Title 14, Section 1506(b)(3) of the California Code of Regulations.

SECTION 18. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase would be subsequently declared invalid or unconstitutional.

SECTION 19. Publication. The City Clerk shall cause this Ordinance to be published or posted in accordance with California Government Code Section 36933, shall certify to the adoption of this Ordinance and her certification, together with proof of the publication, to be entered in the book of Ordinances of the City Council.

SECTION 20. Effective Date. This Ordinance shall take effect thirty days after its adoption pursuant to California Government Code Section 36937.

PASSED, APPROVED AND ADOPTED this [redacted] day of [redacted], 2024.

Kelly Kriebs, Mayor

ATTEST:

Laura Aguilar, City Clerk

COUNTY OF LOS ANGELES)
CITY OF SIERRA MADRE) SS:

I HEREBY CERTIFY that the foregoing Ordinance was introduced by first reading on the [redacted] day of [redacted], 2024, and duly adopted by the City Council of the City of Sierra Madre, California, at a regular meeting held on the [redacted] day of [redacted], 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Laura Aguilar, City Clerk



City of Sierra Madre Planning Commission Staff Report

Thomas Denison, Chair
William Pevsner, Vice-Chair
Christine Moran, Commissioner
Patrick Simcock, Commissioner
Yong Yoo, Commissioner

Clare Lin, Planning Manager
Planning & Community Preservation

TO: Chair Denison and Planning Commissioners

FROM: Joshua Wolf, Senior Planner

REVIEWED BY: Clare Lin, Planning Manager

DATE: April 18, 2024

**SUBJECT: MUNICIPAL CODE TEXT AMENDMENT (MCTA 24-02):
HOME OCCUPATIONS**

STAFF RECOMMENDATION

It is recommended that the Planning Commission hold a public hearing for the consideration of municipal code text amendments to the Home Occupations Ordinance, consider all testimony, and approve the municipal code text amendments pursuant to Planning Commission Resolution 24-08, included herein as Attachment A, recommending City Council approve the subject municipal code text amendment by ordinance.

ALTERNATIVES

The Planning Commission may:

1. Approve Planning Commission Resolution 24-08, recommending City Council approve a municipal code text amendment (Home Occupations; MCTA 24-02) by ordinance; or
2. Approve with modifications Planning Commission Resolution 24-08; or
3. Continue the public hearing providing staff with direction.

SUMMARY

City staff have prepared a draft municipal code text amendment of Chapter 17.85 (Home Occupations) of the Sierra Madre Municipal Code for consideration by the Planning Commission. The draft amendments are prepared under direction by City Council following a continued discussion held on March 26, 2024, regarding uses permissible in the One-Family Residential (R-1) Zone, focusing on Home Occupations and expanding briefly into adaptive reuse of historic landmarks. The discussion began on March 12, 2024, focusing instead on temporary uses permissible in the One-Family Residential (R-1) Zone, initiated in response to concerns by the community.

BACKGROUND

On March 26, 2024, City Council held a discussion on the uses permissible in the One-Family (R-1) Zone primarily as Home Occupations and expanding into Adaptive Reuse of Historic Landmarks.

Direction was provided by City Council to amend the Home Occupations Ordinance to achieve the following:

1. Continue to allow home occupations to operate outdoors, but implement clear and objective standards that respond to issue raised by the community.
2. Require discretionary review of home occupations that include outdoor use.
3. Allow a home occupation to conduct an event beyond the scope of its normal operation through the temporary use permit process.
4. Create a list of disallowed, or prohibited, uses.

Overall, the City Council felt it inappropriate to allow an event center as a home occupation, but comfortable allowing outdoor home occupations provided there are measureable and enforceable standards that promote the overall welfare of the neighborhood. City staff have prepared suggested amendments to both the home occupations and historic preservation ordinances for Planning Commission to review and consider. This report includes an analysis on the amendments drafted for the Home Occupations Ordinance.

ANALYSIS

The original Home Occupations Ordinance was adopted in 1998 and was amended 2023, removing language referencing the antiquated “development services” department.

The current ordinance does not include a provision for activity of a home occupation which may occasionally operate beyond the scope of its permitted operations. The amendment would provide that a home occupation may occasionally operate outside the scope of its permitted operation subject to the approval of a temporary use permit. Staff determined this amendment to be of clarifying convenience for applicants.

The current ordinance provides that no home occupation may be established and conducted without first obtaining a home occupation permit and city business license. The amendment would add that any city business license that becomes inactive will also render an associated home occupation null and void. Staff determined this clarification to be necessary to diminish any misuse of regulation.

The current ordinance provides conditions for which a home occupation may be qualified for “permitted” review. The amendment would clarify that permitted review is a ministerial review and would modify language as conditions to language as criteria that qualify a ministerial review of a home occupation permit. Staff determined that the term “permitted” has multiple meanings that are often conflated thereby causing confusion and miscommunication. The term “ministerial” is used in other Chapters of the Zoning code to also mean review without discretion.

The current ordinance provides that a home occupation may be permitted if, among other criteria, it does not generate pedestrian or vehicular traffic above that which is normal, or

reasonable, for the district where the home occupation is located. This amendment would instead qualify a ministerial home occupation permit as one that does not generate any vehicular or pedestrian traffic nor require the use of any street or public facility for parking, without subjective exercise of discretion on whether any traffic generated by the home occupation would be normal, or reasonable, for its district. The amendment would also allow discretion for home occupations permit applications that generate traffic provided the traffic generated is not above normal, or reasonable, for its district nor would use of streets or public facilities for parking be overloaded. Staff determined that the current criteria is subjective and not appropriate for ministerial levels of application review. Staff also determined that there may be potential impacts of street and public facility parking by other amendments, described below, and included in this criteria mitigation for potential impacts to street and public facility parking.

The current ordinance provides that no portion of a garage, except area not in conflict with the parking requirements of the underlying zone, may be used for the home occupation. The amendment would add that home occupation permit applications for use of such excepted area within a garage be supplemented with a floor plan delineating where parking area is maintained and other area where the home occupation will occupy. The amendment would allow discretion for home occupations that could temporarily occupy parking area. Staff determined that home occupation applications did not require a floor plan of a garage where a home occupation would be proposed. Staff further determined that usage of parking area within a garage is appropriate under specific circumstances which allow for normal use of a garage for parking when the home occupation is not active.

The current ordinance restricts home occupations from presenting signage. The amendment would clarify this restriction by adding that no signage will be installed or placed on the property where the home occupation is located.

The current ordinance does not allow a home occupation that would generate an exhaustive list of nuisances. The amendment would expand this limitation by instead not allowing a home occupation that creates a condition pursuant to Chapter 8.16 (Site Nuisances) of the code. Staff determined that the exhaustive list of nuisances would be limiting in comparison to a referenced code section applicable to all property.

The current ordinance does not place any restriction or limitation on the number of active home occupations that may be authorized to any one person or property. The amendment would place a limit of one home occupation permit and business license issued per dwelling unit, or two through discretionary review. Staff determined that an unlimited number of home occupations would constitute a practical change of use.

The current ordinance provides that a home occupation may occupy up to fifty percent the area of all structures on site, except the garage. The amendment would provide that home occupation are ministerially permitted to occupy up to twenty-five percent the area of a dwelling unit or 400 square feet, whichever is greater, except for the sole and express purpose of short-term rentals in which case the home occupation has no area limitation and instead has a limit on the number of guests per bedroom of two. The amendment would also allow discretionary approval for home occupations occupying up to fifty the area of a dwelling unit or, under exception by short-term rental, up to three guests per bedroom. Staff determined that the threshold of fifty percent the area of a residence is

high in comparison to adjacent cities; the reduction as amended remain liberal in comparison with other cities and ensures low potential impact to residential neighborhoods. Staff has determined that home occupations occupying up to fifty percent the area of a residence are appropriate for discretionary review as such uses at fifty percent the residential area have potential to change the practical use of a property.

The current ordinance restricts on-site employment of help except by member of the residing family and, through discretionary review, allows up to one employee who is not part of the resident family provided on-site parking be available for the employee. The amendment would eliminate regulation of employment and instead, as mentioned above, require that a home occupation not use any street or public facility for parking and allow discretion for such home occupations that would use streets or public facilities to park vehicles provided the applications shows that such parking would not overload streets or public facilities nor create a nuisance. Staff has determined that enforcement around employment will be difficult especially where independent contractors may be involved. Being that the potential environmental impact of on-site employment of help by someone not a member of the residing family affects parking on street and on public facilities, staff have included in the amendment, as described above, the restriction of a home occupation from use of a street or public facility for parking.

The current ordinance does not explicitly prohibit any uses. The amendment would prohibit, unless otherwise pre-empted by state law, various uses by reference to other code including sale and display of narcotic paraphernalia, massage establishments, tobacco retailers, uses related to marijuana, and adult businesses. City Council provided direction to include uses disallowed or prohibited. Staff determined these to be appropriate uses to prohibit as home occupations.

The current ordinance does not require findings of fact be made for the disposition on an application for home occupation permit. The amendment adds certain findings required for approval of a home occupation permit with the burden of proof presented as part of the application. Staff determined that disposition of a permit should be based on justified findings of fact to enhance due process thereby allowing appeals of decisions to take place warranted.

The current ordinance does not include a provision allowing the director to elevate the review of an application for home occupation permit qualifying for discretionary review to the planning commission. The amendment includes a provision allowing the director to refer any application qualifying for discretionary review to the planning commission at their sole discretion. Staff determined this provision to be necessary in circumstances where staff may be unable to meet the findings of fact as presented with an application, streamlining the process of appeal upon denial.

The current ordinance does not provide the type of information that shall be included on an application for home occupation permit qualifying for discretionary review. The amendment would provide the type of information that shall be provided in an application for home occupation permit qualifying for discretionary review. Staff determined application review occurs in less time when applicants are informed prior to their application submittal of what is needed to submit, thereby streamlining the process.

The current ordinance requires, as a condition of discretionary home occupation, notification to neighbors within a three-hundred-foot radius of the site. The amendment would, instead of being a condition, implement this as a procedural requirement for a discretionary home occupation permit application. Staff determined that a condition of a discretionary home occupation permit to notify neighbors of the pending review of an application does not make temporal sense.

The current ordinance is not clear whether the criteria of a permitted home occupation are conditions of all home occupations or qualifiers for the type of review of a home occupation permit application. The amendment, as mentioned above, clarifies the criteria for a ministerial review are qualifiers and creates a new section providing conditions of approval for a home occupation and allows flexibility through modification or addition of any condition for home occupation permit applications subject to discretionary review.

The current ordinance provides procedures expressly for revocation of a home occupation permit. The amendment would allow a reviewing body to leverage modification of a home occupation as an alternative to revocation. Staff determined this would improve streamlining of the permit process between denial by the planning commission and appeal to the City Council.

The organization of the ordinance has been restructured for improved temporal clarity and understanding of the regulations and procedures for home occupations.

Amendments to the code text are included herein as Attachment C and a clean version as Attachment D.

Ministerial versus Discretionary – comparison summary

In drafting the recommended amendments, staff compared the differences in standards between ministerial home occupations and discretionary home occupations. Table 1, below, is a full text comparison with differences denoted by bold and blue text. Table 2, further below, simplifies this comparison organized by topic and heavily abbreviated.

Recommended Standards for Home Occupations	
Ministerial	Discretionary
That the home occupation will not generate any pedestrian or vehicular traffic nor require the use of any street or public facility for parking.	That the home occupation will not generate any pedestrian or vehicular traffic above that which is normal, or reasonable, for the district where the home occupation is located nor unreasonably overload street parking or public parking facilities nor create a nuisance .
That in no way will the appearance of any structure or the conduct of the business be such that any portion of the premises may be reasonably recognized as serving a nonresidential use, either by color, form, or materials of construction.	That in no way shall the appearance of any structure or the conduct of the business be such that any portion of the premises may be reasonably recognized as serving a nonresidential use, either by color, form, or materials of construction.
That no portion of any garage in conflict with the minimum residential parking requirements pursuant to Chapter 17.68 of the Sierra Madre Municipal Code will be used for the home occupation. Such garage area not in conflict (i.e.	That no portion of any garage in conflict with the minimum residential parking requirements pursuant to Chapter 17.68 of the Sierra Madre Municipal Code will be used for the home occupation. Such garage area not in conflict (i.e.

work or storage areas) may be used for the home occupation provided that the application be supplemented with a floor plan of the garage clearly delineating the parking area from other area. No equipment, tools, furniture and other similar appurtenances of any kind may be allowed under this provision.	work or storage areas) may be used for the home occupation provided that the application be supplemented with a floor plan of the garage clearly delineating the parking area from other area. Non-fixed equipment, tools, furniture and other similar appurtenances individually weighing not more than fifty pounds (50 lbs.) may be allowed provided the application be further supplemented with a schedule of equipment and specifications.
That no visible signage, or other forms of exterior identification, which identifies the home occupation will be installed or otherwise placed on any part of the property where the home occupation is located.	That no visible signage, or other forms of exterior identification, which identifies the home occupation will be installed or otherwise placed on any part of the property where the home occupation is located.
That the home occupation will not create any condition pursuant to Chapter 8.16 (Site Nuisances) of this code.	That the home occupation will not create any condition pursuant to Chapter 8.16 (Site Nuisances) of this code.
That no more than one city business license issued in connection with a home occupation permit per dwelling unit will be active at any one time.	That no more than two city business licenses issued in connection with a home occupation permit per dwelling unit will be active at any one time.
That all aspects of the home occupation will be conducted entirely within an enclosed structure. Articles, tools, materials, merchandise, products, activities and other related items or actions produced or used in conjunction with the home occupation shall not be stored, displayed or conducted outdoors.	For home occupation activity outside an enclosed structure, that the home occupation will not be visually detrimental to the residential character of the neighborhood.
Except when a home occupation is for a short-term rental for the sole purpose of transient occupancy for periods of no more than thirty (30) consecutive days and where guest count does not exceed two (2) persons per bedroom, that not more than the greater of twenty-five percent of the total floor area of all structures on the property directly associated with the dwelling unit where the home occupation will occur, excluding the garage, or four hundred square feet will be occupied for the "home occupation." Any construction, structural alterations or addition(s) to the main or accessory building shall be designed to be completely useable for a residential purpose.	Except when a home occupation is for a short-term rental for the sole purpose of transient occupancy for periods of no more than thirty (30) consecutive days and where guest count does not exceed three (3) persons per bedroom, that not more than fifty percent of the total floor area of all structures on the property directly associated with the dwelling unit where the home occupation will occur, excluding the garage, will be occupied for the "home occupation." Any construction, structural alterations or addition(s) to the main or accessory building shall be designed to be completely useable for a residential purpose.

Table 1. Comparison of standards for ministerial and discretionary home occupations. Note: emphasized text does not highlight amendments. Please refer to Attachment A for full text amendments.

Topic	Ministerial	Discretionary
Traffic generation	None	Within reason
Appearance of any structure	Stay residential	Stay residential

Use of garage	Not within parking area	May allow temporary activity within parking area
Signage	None	None
Nuisance created	None	None
Number of business licenses	One	Two
Enclosed structure	Inside only	Outside may be allowed
Area of home occ.	Greater of 25% or 400 sq. ft.	Up to 50%
Short-term rental	Up to 2 guests/bedroom	Up to 3 guests/bedroom

Table 2. Simplified comparison of standards for ministerial and discretionary home occupations by topic.

Ordinance Consideration

An ordinance for City Council’s consideration has been prepared and includes within three sections, one making amendments described above in this report and others making amendments under MCTA 24-01 (Temporary Use Permits) and MCTA 24-03 (Historic Preservation). The drafted ordinance is included herein as Attachment B.

Home Occupation Permit Application

City Council further expressed the Home Occupation Permit Application could be revised for modernization and clarity. Included herein is the current Home Occupation Permit Application (Attachment E) and the proposed updated application (Attachment F).

DISCUSSION

In deliberation for the consideration of the proposed amendments, Staff are requesting the Planning Commission discuss the following points:

1. Whether home occupations should be permitted by discretionary review to use parking area within a garage temporarily is use of equipment, tools, furniture or other similar appurtenances of any kind for the home occupation.
2. Whether the following thresholds are appropriate:
 - a. Up to one city business license per dwelling unit issued in connection with a home occupation permit for ministerial review;
 - b. Up to two city business licenses per dwelling unit issued in connection with a home occupation permit for discretionary review;
 - c. Up to the greater of twenty-five percent the area of a dwelling unit or 400 square feet for home occupations in ministerial review;
 - d. Up to fifty percent the area of a dwelling unit for home occupations in discretionary review;
 - e. Up to two guests per bedroom for short-term rental home occupations in ministerial review; and
 - f. Up to three guests per bedroom for short-term rental home occupations in discretionary review.

All of the above thresholds make sense and help keep control over larger uses by requiring discretionary review

3. If additional standards of use should be incorporated specifically for those discretionary home occupation permits contemplating uses outside of a fully enclosed structure.

CEQA FINDINGS

The adoption of this amendment is exempt from the California Environmental Quality Act (CEQA) under Section 15301, Title 14 of the California Code of Regulations and is also exempt from review because it does not meet the definition of a project under CEQA Guidelines sections 15061, subdivision (b)(3), and section 15378, subdivision (a) and subdivision (b)(5). The proposed changes to Chapter 17.85 (Home Occupations) of the Sierra Madre Municipal Code, have no potential for resulting in physical changes to the environment because they consist of changes in the standards governing use of residentially zoned property for the purpose of home occupations and do not directly or indirectly approve any applications for particular projects.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report are available on the City's website at www.sierramadreca.gov.

Individuals who have expressed their interest in being notified by electronic mail were provided notice of this meeting in advance. Any interested party may contact City Staff to be included as a recipient via electronic mail of advance notifications of Planning Commission and City Council meetings regarding amendments to the Temporary Use Permit Ordinance. Informational updates regarding the 2024 Updates to the Temporary Use Permit Ordinance are available on the City's website at www.sierramadreca.gov/TUP2024.

Attachments:

- Attachment A: Planning Commission Resolution 24-08
- Attachment B: Draft ordinance
- Attachment C: Amendments to Chapter 17.85 (Home Occupations) – redline
- Attachment D: Amendments to Chapter 17.85 (Home Occupations) – clean
- Attachment E: Current Home Occupation Permit Application
- Attachment F: Proposed Home Occupation Permit Application

Joseph Nosrat

Subject: FW: April 18 Annual Review Alverno School Portables

From: Will Serrano [REDACTED]
Sent: Wednesday, April 17, 2024 11:36 AM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: April 18 Annual Review Alverno School Portables

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear City of Sierra Madre,

I'd like to make a few comments on the sign I just saw posted on the Alverno school gate. It says "Notice of Pending Project". What exactly is that supposed to mean to us common people? Well, knowing the school's history and their shenanigans with the neighbors, I looked it up on the city's website and WOW I'm shocked. I can't believe the school wants to extend the removal of those portables on Michillinda for a darn decade! I really thought they'd be gone once the high school closed, but that didn't seem to happen. I haven't seen any kids in there for a long while. I think we all think those pre-fab classrooms are horrible and don't blend in with the rest of the school and the homes in the neighborhood. I want them out!

I remember Planning Commissioner Speer saying not so long ago that Alverno has the largest campus but serves the least kids. He also said they use the most water, but that's not what I'm concerned with today. I did a bit of research based on what Mr. Speer had said and I believe I have a pretty good rationale as to why Alverno doesn't need those portables. I would assume Alverno administration is saying they need to keep them for the kid's educational programs and what not, but I have to assume they will rent them out to make additional income, but I'm just speculating.

I like to think I'm a fairly good researcher and believe my data is reliable. Feel free to fact check the information contained in this letter. Here's what I learned. I took a look at available data from the Assessor's Office and the Alverno property is listed as having **49,720 sq. ft.** and the lot is 526,889 sq. ft., or 12.096 acres. This does not include the 3 portables in question. I would assume that not all of the square footage is usable space, but for the sake of argument, I'll leave it as what is listed in tax records.

I searched the California Department of Education and found that the department recommends that the size of schools be calculated at 55-70 square feet per pupil for kindergarten through grade six and at 75-100 square feet per pupil for grades seven and eight. (<https://www.cde.ca.gov/ls/fa/sf/guideschoolsite.asp#:~:text=Greene%20School%20Facilities%20Act%20of,for%20grades%20seven%20and%20eight%3B>). "Square footage standards, unlike a per-student dollar amount, are not subject to inflation. A square foot in 1947 remains a square foot in present time." The national average for California is 73 sq. ft. for elementary school students and 80 sq. ft. for middle school students. So, let's just say Alverno has 75% k-6th kids and 25% 7th-8th kids. Alverno has had a maximum enrollment of approximately 265 kids, so I'll go with that, and I'm being generous. So, the calculations would be as follows: 199 k-6th kids x 73 sq. ft. = 14,527 and 66 7th - 8th kids x 80 sq. ft. = 5,280 for a TOTAL of **15,100 sq. ft.** Alverno has 49,720 sq. ft. of space and only needs 15,100 sq. ft. of classroom space, so they absolutely have no need for those portables, particularly if they are an eyesore to the neighborhood and Alverno has already exhausted all of their extensions! With the current number of students, **Alverno has 37,620 sq. ft. more space than the average school in California.** So, let's say Alverno is at full capacity with 400 students, again, 75% k-6th kids and 25% 7th-8th kids. Calculations of the school at full capacity would be as follows: 300 k-6th kids x 73 sq. ft. = 21,900 and 100 7th - 8th kids x 80 sq. ft. = 8,000 for a TOTAL of **29,900 sq. ft.** which leaves Alverno with **19,820 sq. ft. more than the average school in California even at full capacity (400 students).** It doesn't take a genius to figure out that Alverno has no real need for those portables!

Just doing the math!
John Bull
Sierra Madre Proud

Joseph Nosrat

Subject: FW: Allowing business in R1 zoning

From: Judy skiff [REDACTED]
Sent: Monday, April 8, 2024 2:34 PM
To: Joshua Wolf <jwolf@sierramadrea.gov>
Cc: Judy Skiff <[REDACTED]>
Subject: Allowing business in R1 zoning

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

I am Judy Skiff and I live at [REDACTED]. I adamantly oppose allowing businesses to operate in Residential zoned neighborhoods! The traffic on my street is greatly increased when businesses very close by, have all day weddings and weekend sales and craft shows and craft classes! The intersection of Baldwin and Alegria becomes a real accident waiting to happen as so many cars pull out from Olive St onto Baldwin, they do not stop they speed past and they park in front of our driveways etc. Please consider having businesses do business in the appropriate zoned areas!!!. Neighbors like us should not have to deal with these traffic, poor driving and parking habits, of individuals that should not be going to do business in a residential neighborhood and have their attention drawn to the business and NOT to the neighbors and the traffic rules in our small streets. What if several of us opened a business in our homes every weekend or even once a month. ??? It would be a huge issue to everyone in this community and cause undo traffic and parking issues! Please, please consider our RESIDENTIAL ZONED NEIGHBORHOOD AS A RESIDENTIAL NEIGHBORHOOD! Those who wish to do business we would love to see them take advantage of our downtown area and Have the proper permit and place to conduct business. Thank you. Judy Skiff. Sent from my iPhone

Joseph Nosrat

Subject: FW: Planning commission public comment

From: Sue Smrekar [REDACTED]
Sent: Thursday, April 18, 2024 10:25 AM
To: Public Comment <publiccomment@cityofsierramadre.com>
Subject: Planning commission public comment

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Planning Commission,

Over the last several years, Lavender Marketplace has freely conducted commercial activity to the detriment of our neighborhood. This activity continues to the present day. There is still no enforcement of existing rules. Ordinances without enforcement are so much paper, and leave citizens unprotected and the city liable. Citizens have complained forcefully and repeatedly – including this month.

We truly appreciate that the city is beginning to take this issue seriously. New language for TUPs and HOPs is clearly moving in the right direction to protect neighborhoods from unwanted, disruptive commercial activity. However, there are several instances in the new proposed language where the wording is ambiguous or open to interpretation, creating major LOOPHOLES. Please do not continue to leave neighborhoods open to uncertainty and adverse impact by commercial activity.

Below are several recommendations that I hope will lead to clear and enforceable ordinances.

17.88.020 - Current language: Commercial uses in any zone which has a primary designation of residential is *discouraged*.

‘discouraged’ is extremely vague and thus completely unenforceable. It is a loophole!

Recommend: Commercial uses in any residential zone ARE PROHIBITED.

17.88.030 - More use of ‘encouraged’ is similarly not useful as a city ordinance:

F: “Applicants are *encouraged* to submit applications at least forty-five days prior to any date(s) of the proposed temporary use.”

Applicants should be required to submit applications 45 days in advance to allow for proper feedback from the community. There should be no reasonable discretion, as discussed in G, even for Constitutional Protections. Why should this be needed?

17.85.100 – What is the time scale over which the planning commission and city council will act? Citizens have been waiting for years for action. Thus I recommend that the city council and planning commission be required to review the HOP if they have received 2 or more complaints from residents, be required to make a determination of any violation within 3 months, and if found in violation revoke the permit within 1 month.

Thank you for your efforts to maintain and improve the quality of life in our community.

Sue Smrekar
[REDACTED]

Joseph Nosrat

Subject: FW: CUP 21-03 April 18 Planning Commission

From: [REDACTED] [mailto:[REDACTED]]

Sent: Monday, April 15, 2024 3:34 PM

To: Public Comment <publiccomment@cityofsierramadre.com>

Subject: CUP 21-03 April 18 Planning Commission

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

CUP 21-03 CC resolution 23-13 (appeal), PC resolution 24-06

I have reviewed the CUP and proposed revisions and comment as follow:

EXEC SUMMARY

“This project is exempt from the California Environmental Quality Act (CEQA) per CEQA

352459.1 Guidelines section 15061(b)(3). Section 15061(b)(3) ... There is no possibility that this project

may have a significant effect on the environment and, therefore, the project is not subject to

CEQA.”

As presented in the 2023 appeal, Alverno has perpetuated piece-meal land-use development for decades (a violation of CEQA). They offer impressive Master Plans that promise a bright future. Until funding arrives, they need ongoing temporary permits. Alverno has evaded proper CEQA review with this scheme. Alverno has a second CUP for Villa commercial rentals. Both CUP’s are for the same entity and property, so their combined use are subject to CEQA review.

CONDITIONS AND RESPONSIBILITIES

4. Planning and Community Preservation Department

11. Noise Attenuation at Michillinda Parking Lot

The 15 month countdown mentioned in this condition started May 9, 2023 and is not intended to re-set. This date should be inserted in the condition to confirm when the 15 month period started.

12. Alverno is evading environmental review and blocking construction of their Master Plan with this extended “temporary” situation. The portables were discussed by the City Council during the 2023 appeal. Alverno said the buildings were not occupied and the Council indicated they should be removed. The 15 month extension was given to allow their timely removal. No extension, stick to Master Plan. If the new classroom and Multipurpose buildings and are never going to be funded, take them off the Master Plan. Figure out how to get 400 students in an existing school designed for 500.

6. Community Services Department

2. Applicant and Property Owner are prohibited from hosting any concurrent film or photography activity, temporary uses, or religious events, as defined herein, at the school or Villa

Permission for a several days of over-night film shooting in May is currently being sought. The dates overlap with a wedding on the Villa calendar. Even if there is no filming on wedding day, this arrangement violates the spirit the condition. Revoke filming privileges.

3. *“Prohibit renting the soccer/softball field to sports groups not associated with Alverno Heights Academy, such as American Youth Soccer Organization (AYSO)”*

The intent of this condition was to limit the field’s use not affiliated with Alverno. The Sierra Madre Girls Softball league was the only group specifically allowed to have regular use. Alverno mentioned field sharing with related schools on temporary, unexpected occasions. LaSalle has been planning the removal of their field since 2017, yet this free and friendly arrangement was never mentioned. Put additional limits on field use.

AHA NEIGHBORHOOD MEETINGS

Neighborhood meetings should be held in City chambers and recorded to properly document conversations and representations.

Thank you for your consideration,

Keith Stephens

April 15, 2024

Comments sent to publicComment@cityofsierramadre.com

Re: Agenda item Alverno yearly CUP review



Good morning Planning Commissioners,

I've read Principal Harabedian's excuse for violating Alverno's Condition #3 found Under Community Services Department. It's an explanation. I do not agree it justifies the behavior to knowingly buck the field condition. It is no defense for consciously ignoring the agreement Alverno made with the neighbors or the city to not allow use except for the SM girls softball. The intent of this agreement was to help mitigate the noise and traffic impact when Alverno sought the neighbor's support to build the field. I don't doubt Principal Harabedian's sincerity at wanting her students to have a leg up when it comes to getting into La Salle but I find this path misguided.

Ms. Bertollini's explanation of why she felt it OK to let La Salle use the softball field just means the condition regarding field use is vague and open for subjective interpretation. So if I heard Alverno's interpretation of the field condition correctly, then they are saying - they can let anyone use the fields if it is free. AYSO, and other schools will be happy to hear this.

The conversation I had with Ms. Bertollini after the January meeting ended brought to mind something our attorney elaborated on during our appeal. There is the spirit (intent) of a condition and the letter of a condition. I also reviewed instances where city attorney Alex Giragosian explained the letter of a law along with the spirit of a law, and it's implications to the council in those same meetings and how a condition is like a law. It is binding.

The letter of the law is its literal meaning. The spirit of the law is its perceived intention. One can violate the spirit of the law accounting for culpability above and beyond breaking the mere letter. It has been found that one can incur culpability even when the letter of the law is not technically broken. This effect has been examined across various legal contexts and the implications discussed in a variety of scenarios. —<https://www.cambridge.org/>

The terms "letter" and "spirit" have been juxtaposed for centuries. Being an independent Catholic school one would hope Alverno is very familiar with this use in ancient biblical teachings. For example, often biblical text contrast these terms in describing how some people live their lives by the "letter" of various prescriptions versus those that live by the "spirit."

For my purposes, and as witnessed during numerous discussions in city meetings - I define the spirit of the law the same as Black's Law Dictionary does: the intention of the law. From the perspective of the law, *mens rea* emphasizes that culpability is greatest when the individual is conscious of wrongdoing. I am alleging Alverno administration knowingly and willfully ignored the intent of condition #3 for defiant purposes by giving over the use of their softball field to La Salle. This was done with reckless disregard as to how the neighbors would be impacted. It astounds me that they tell the Planning Commission that they always work with neighbors when concerns are brought to their attention. Neighbors have expressed concerns.

I find the La Salle field usage a violation of Alverno's CUP Condition #3 Under Community Services Department -

The Applicant and Property owner shall: Prohibit renting the soccer/softball field to sports groups not associated with Alverno Heights Academy, such as American Youth Soccer Organization (AYSO), or for adult soccer.

Alverno ignored the 2021 Alverno CUP which states:

The environmental analysis provides a series of mitigation measures and the imposed conditions of approval were developed to protect the surrounding and adjacent properties, including reasonable limits on enrollment, use of the school facilities, including the Villa, the Multi-Purpose Building and the Soccer/Softball Field.

It is not unreasonable to ask that the City of Sierra Madre to enforce the conditions in the CUP or the findings under the Negative Mitigation Declaration studies.

La Salle is a fine school and can seek out other fields. Alverno students should have full use of their field. There were no shortages of fields in Pasadena, or Arcadia when this deal was struck. I called around and spoke to the public rec departments for both cities. La Salle's boys baseball team is using a field in Arcadia park. Perhaps some quid pro quo transpired to allow the use of the Alverno softball field by La Salle. I don't know. The Alverno softball field has been cordoned off for months just for La Salle. This renders a very large portion of the multi-purpose field off limits for Alverno students.

Principal Harabedian's letter in response to neighbors merely gave her perception of what she considered fair. For me, Principal Harabedian has abused the social norms that shape my interpretation of fairness by what she wrote. It completely ignores the intent of the field condition. The Board of Trustees should have put a kibosh on this use and not sanctioned it. They were intimately involved in the 2005 - 2011 expansion. They were at the fact gathering neighbor meetings and part of the negotiations that brought about this condition.

I believe Principal Harabedian has the best interest of her students at heart when it comes to educating them. I can't say the same for her consideration or opinion of her neighbors. I find the school vision comes first, and neighbors second - even third. I am not drinking the Alverno Kool-aid of wanting to get along with their neighbors. It has been decades of negotiating agreements with us then ignoring them. The city has asked Alverno to be proactive in regards to the neighbors it's impact. The January outreach was an opportunity to let the neighbors know what Principal Harabedian really feels about us and it was not kind. They didn't even give us the sport court noise studies or inform us they were going to ask for a 10 year extension on the modulars.

The K-8 land use outside of the classrooms has been exponentially larger than the high school. Please consider the cumulative use of this parcel as a whole. Maybe there is no room for the 2006 city agreement or for any outside entity to use the field other than the Sierra Madre girl's softball. Since Alverno sees no problem with violating the intent of the field condition we are asking the Planning Commission to:

1: Tighten the language of the field condition. It should be amended for clarity. It should be black and white so that it leaves no room for misinterpretation. If it isn't in writing then AHA will make it a loophole. Condition #3 should remove all outside entity usage, EXCEPT for Sierra Madre girls softball and there shall be no amplification (from 2011 CUP).

2: Amend under #9 Night Time Lighting, it should include the wording - C. "Sports Courts (and Multi-Purpose Field) There shall be no lighting."

I have a vested interest in Alverno honoring their agreements and not violating the conditions.

Yours truly,
Kristin Stephens

Dear Planning Commission,

4/16/24



Upon review of the meeting agenda we see a submission of the AHA's version of the 1/25/24 meeting held on the Alverno campus. I am flattered that the Alverno notetaker felt I did all the talking but I did not. It is a disservice to the other attendees to see their concerns left out of the minutes as well as Principal Harabedian's 4/10 letter in the agenda.

I am requesting the neighbor's shared notes be included as part of the record. Some attendees feel Alverno's minutes were written in a manner that suits their purposes but do not accurately reflect what was conveyed by attendees.

AHA minutes or audio recordings were not provided or sent to neighbors who have asked to always get a copy afterwards.

Top issues known at the time of the meeting:

Traffic, outdoor PA system, use of whistles, lack of parking on campus for visitors and families during events, failure to stay on top of vermin and upkeep of perimeter

Unknown or not disclosed at the meeting -

Alverno did not discuss their desire for a 10 year extension on the portables

Violation of field use by Non-Alverno schools under the field condition

It would be best practices to bring handouts when there are visuals being presented for discussion so the attendees can fully participate. **Alverno has a habit of never provided documents on key areas of concern at neighborhood outreach meetings** which hamstrings any conversation a neighbor might wish to address.

Conversation with A Bertollini after the meeting concluded.

Inquired about La Salle using softball field. To the neighbors this is a violation of the condition on field use and their negotiated agreement.

Ms Bertollini's responses:

It was not a problem for AHA.

She contends La Salle is a Sierra Madre school, (because a rotary club says so??)

Over half of the La Salle students are from Sierra Madre (cannot confirm)

The use was free so it doesn't count

AHA no longer needs the softball field. (High School girls are gone)

Neighbors respectfully disagree with these justifications. It would be something the Highland and Wilson neighbors will want to address.

Neighbors do not want to fight with AHA just abide by the conditions in intent and letter

Update since 1/25/24 meeting held at Alverno

More than one neighbor from Highland, Wilson, Grandview, have written and/or spoken with Alverno staff to protest La Salle and other sporting teams using the field

Notes from 1/15/24 Meeting held on Alverno campus

Attendees

9-10 neighbors, 4 households sent concerns via a proxy, Alverno reps - Farsting, Hairbedian, Bertollini, Martinez City reps- Jose Reynosa, Chief Gustavo, Mr. Wolf, Ms. Lin, Mr. Wolf, another woman, 2 persons came late did not identify themselves

Ken Farsing Board of Trustee (BOT) directed the meeting. Laid out ground rules. AHA has a sport court plan. *Copies were not provided to the neighbors to review, or comment on or take home for digesting.* Noise study done (but not available to discuss) Noted condition of traffic to split drop off and pick up between grades. Using Wilson parking lot and Michillinda. *(No explanation as to why the change to drop and pick up in Michillinda parking lot . Approval is for stations designated inner Villa drive)*

Concerns and discussions:

Neighbors: **Traffic** - getting to and from their home, whether they live on Highland, Michillinda, or Grandview is daunting during pick up drop off, events, etc. Unsafe maneuvers occurring in and around their homes by persons driving to or coming out of Alverno parking lots. Students are seen dodging cars on Michillinda.

AHA Principal H.:

Doesn't see why residents don't use Sierra Madre Boulevard instead of Highland. She feels it is safer. **Principal expressed her opinion that neighbors are lazy for using Highland.**

Neighbor response: Even if the neighbor lives on Highland? Residents would like to use their streets safely. *(Being called lazy is offensive and telling of how Principal really feels about neighbors)*

Neighbors: Some neighbors have to wait to drive home due to traffic in the afternoon. Some do not feel the placards work. AHA was **asked if they would reinstate the monitors during drop off and pickup times especially at Highland and Michillinda.**? It worked for the 2 weeks when they did it in 2022. **It is difficult to see around the sandwich boards.** Sometimes they are left out all day and sometimes over the weekends when not needed. Could the placards be put out only during drop off and pick up? **Neighbors are not requesting removal of sandwich boards.**

AHA: No. No monitors. Went through this with the city and it's OK with them.

Police Chief: Agreed with neighbors. **It is hard to make turn out of Highland at Michillinda. Sandwich boards.** Wants to do more. Brainstormed possible placement options. Maybe add a red curb? other possible solutions were being considered. He discussed his findings on traffic along Highland that the city has done at this moment. Study traffic around AHA. More to come

Jose Reynosa **will bring this back this issue to the city and public works and get back to neighbors and AHA**

Neighbors: **Would like to see a crosswalk returned to Michillinda.** Use to be safer because people would actually stop, not now when parents are dashing to or from campus. Students run across, dodge cars, unsafe.

Jose Reynosa: His experience felt crosswalk would make things more dangerous as a false sense of security.

Neighbors: **Fear for safety of students and residents trying to cross Michillinda.** Drivers use to stop for pedestrians on Michillinda when there was a crosswalk. Not any more since removed.

Neighbor. Wants a stop light. *(It was explained that it was unlikely since it is a source of pride for some SM residents to have no stoplight - don't shoot the messenger)*

Persons (parents mostly) **are blocking driveways with their vehicles** or moving their trash cans across the driveway during sporting events/practices.

Vehicles (jeep, subaru, mercedes & others) **are parking on the red curb or in front of fire hydrant at corner of Michillinda by Grandview turn to watch sporting events or practices.**

Vehicles are also being parked in a manner that impedes neighbors from getting in and out of their driveway or seeing oncoming traffic safely.

Sports spectators hang out in front of homes chatting loudly well after the games/practice are over.

AHA response: What kind of vehicle? (*Asked Michillinda resident*)

Neighbor: Worst offender is a truck blocking driveway.

AHA response: talked about whether it was one of theirs. Not sure who the guy was. Moved on.

Neighbor: Security camera shows guy crosses to AHA, asked if they could put cones out. Have pictures of red curb and fire hydrant violator cars different than the truck

Chief: inquire with Pasadena

Neighbor: **Outdoor PA system has become too loud during the daytime. Vocals are decipherable. No complaints about cheering students or their service.**

AHA VP and BOT: What are they hearing? What days? Wednesday would have been the kids reading.

Neighbor:

Various days & events. Used Wednesday as one example. Male voices tend to be lower in register. Adult females are louder and screech. Speeches, announcements, maybe a sermon or book report or debate?

Martinez: Thinks it was kids reading to school

Neighbor: No one is complaining about the kids, these are distinctly adult voices being heard. Adults control the volume. The students were more of a murmur. No complaint about kids or their cheering

This was a proxy concern by neighbor(s) who could not attend.

Ken F.: Call the police. Have neighbor come to meeting. Call the switchboard.

Neighbor: **Neighbors have called the school and feel there has been no change** and asked to bring this up at meeting. They can't attend because of work. No one wants to call the police. It is a school issue.

Neighbor: Many complained about whistles being used by TK-8 during school. Difference is High school never used whistles to call students at the end of recess, PE, lunch or gatherings. High school worked with neighbors on an equitable solutions. The High School population ended up liking the chimes over the jangling bells.

No one is complaining about children noise. **Staff also yell loud and a lot at children. Learning the names of students called over and over several. Heard when inside home.** The noise increases around 9AM until late late afternoon or early evening with sports. **Sport whistles are expected during games but not during school hours.**

(Note: Maybe the unstudied impact of playground is issue. Playground is too close to homes.)

Neighbors: Brainstormed *alternatives* - raising hand or using an attention flag like when groups are escorted around a museum or Disney. Neighbors who are teachers know students will fall into line up because of respect for staff and know what to do, or they see others gathering.

Neighbors who work with children on the spectrum noted the pitch and loudness can be especially upsetting to this population but perhaps AHA does not accept students with disabilities. There are neighbors who have a family member with special needs in their home who are upset by the whistles. A neighbor stated it upsets her animals.

AHA reps gave varied responses:

They have so many kids outside. They only have 20 kids. They rotate lunches.

(Bottom line - Excuses but no willingness to work with neighbors on this or try something less intrusive)

Neighbor: **Lunches appear to be moving to the parking lot now that picnic tables have been installed**

AHA VP: No, didn't think they were lunching maybe eating snacks. He said the students will bring their lunch boxes and thermos to eat at the picnic tables but that is not lunch.

Neighbor: Didn't wish to take up time discussing **Condition #11 and violation**. An email with details was already sent to Alverno.

AHA Ken: Says portables have barely been used. The city could give them an extension.

Jose Reynosa: **Reiterated the City Council definitely did not want to keep extending the portables.**
The condition was looked up.

—**Note added after reading 4/18 agenda - AHA never discussed their desire for a 10 year extension. This is a shock to neighbors prior to the PC meeting. There was quite a discussion at the '23 appeal De Novo hearings about the portables and gave another extension BUT the City Council was adamant that the portables were never meant to be long term . AHA already has extensions even though there was not supposed to be.**

Neighbor: The calendar seems to be down more than up. Some neighbors cannot access on phones, or computer. Information is missing. La Salle has a very easy to navigate calendar.

Neighbor: Inquiries were made about how the sport court capitol fund was going.

AHA Ken: Fundraising continues. They are halfway there, the gala will be a good fundraiser.

Neighbor: What was next on the Master Plan to be built? What about the gym? It would alleviate some noise. Expand the parking lot

AHA Ken: Working on courts no other plans.

Neighbors: Alverno agreed to maintaining the perimeter as a condition since 1960. There is a problem with gophers and weeds in parkway along Grandview and part of Wilson. Email was sent to apprise AHA before it got too bad. Still not abated. Now goes west to Michillinda and affecting neighboring properties.

AHA: thinks it looks good. Challenged neighbor to show them the weeds they were not seeing the next day.

Neighbor agreed to meet AHA on the parkway the next day.

Follow up.

Ms. Bertollini did try to meet the next day but then had a schedule conflict,. The next day it rained. I waited then took pics and sent attached pdf.The AHA landscaper has been seen on occasion attending to weeds. It is a rather extensive growth at this point.

From: K S
Subject: Grandview parkway maintenance
Date: February 1, 2024 at 7:37 PM
To: alverno AB abertollini@alvernoheights.org

Hi Andrea,

This email is in regards to a concern I brought up at the neighbor/community meeting held on January 25. AHA agreed under your 2010 CUP to maintain the parkways surrounding the campus. The weeds have taken over the good landscaping on West Grandview closer to Michillinda.

So kind of you to offer to walk the parkway so I could point out the weeds. On the off chance you could meet Friday I waited and then I took pictures.

It has turned rainy so I made the attached PDF. I hope the images help. The PDF should give you something to discuss with whomever will be doing the parkway maintenance. I think your staff has been making good progress close to the Wilson corner weeding by hand and along Michillinda. I appreciate their not weed whacking and then blowing the seeds everywhere. I hope that is how they will approach the section closer to Michillinda along West Grandview.

Would you like me to write the city about replacing the beautiful 15 year old Oaks that were mowed down in the unfortunate bus crash? I would think the replacement falls on the insurance company of the bus or the driver who caused the crash (if they were found).

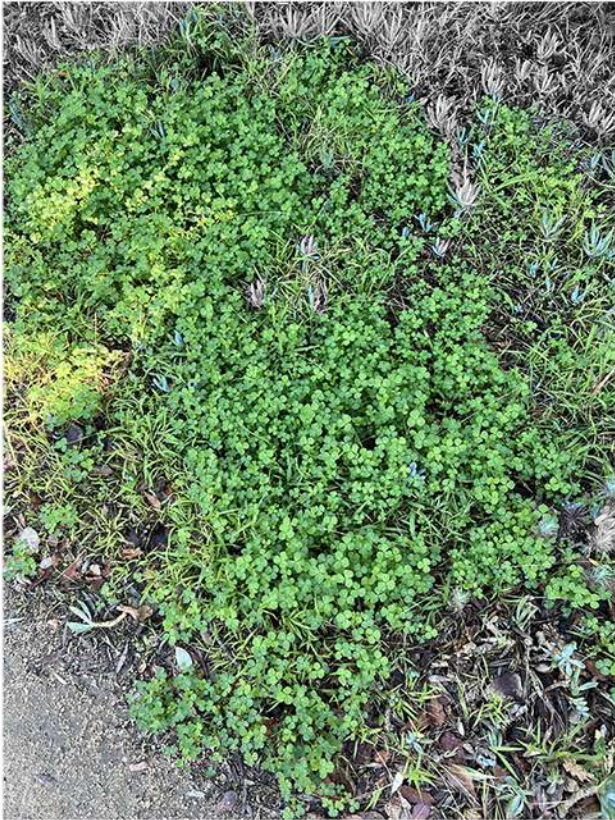
*Feel free to contact me if you need more images or questions.
Stay dry,*

Kristin Stephens

[Attachment](#)

***** Disclaimer *****

This communication (including all attachments) is solely for the use of the person to whom it is addressed and is a confidential Stephens communication not to be distributed in any format, without prior written permission. If you are not the intended recipient and received this email in error, please immediately delete without reading and notify the sender.



Page 2

Weeds are in full color to show the pervasive amount of weeds. Weeds are choking out good vegetation ruining SAHA lovely landscape plan. Weeds - Dandelion, nut grass, crabgrass, quack grass, clover, etc.



Page 3 Around trees



Unfortunately some dog walkers have not been good stewards. The gardeners ignore trash during rounds

Page 4

All areas pictured in this pdf are only the first 1/3rd of the W. Grandview parkway between Michillinda to Wilson.



Joseph Nosrat

Subject: FW: AHA CUP review 4/18 Planning Commission submission

From: K S [REDACTED]

Sent: Thursday, April 18, 2024 2:42 PM

To: Public Comment <publiccomment@cityofsierramadre.com>

Subject: AHA CUP review 4/18 Planning Commission submission

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Request to add this image and statement to Carolyn Halpern who was having troubles uploading

Driving on Sierra Madre boulevard. Alverno Parents will get in line and block intersection.



Respectfully yours,
Mr. & Mrs. K Stephens

*** Disclaimer ***

This communication (including all attachments) is solely for the use of the person to whom it is addressed and is a confidential Stephens communication not to be distributed in any format, without prior written permission. If you are not the intended recipient and received this email in error, please immediately delete without reading and notify the sender.

Joseph Nosrat

Subject: FW: PUBLIC COMMENT - AMENDMENTS TO TEMPORARY USES PERMITS

From: Anthony Sweeney [REDACTED]

Sent: Saturday, April 6, 2024 7:07 PM

To: Joshua Wolf <jwolf@sierramadreca.gov>

Subject: PUBLIC COMMENT - AMENDMENTS TO TEMPORARY USES PERMITS

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Dear Members of the Planning Commission,

I believe you would agree, an event venue is not the type of business that the Home Occupations Permit was designed to allow. Temporary Use Permits should not be a loophole for otherwise inappropriate businesses to operate in the R1 (Residential) zone not matter how infrequent (large or small). Any actions on the part of the Planning Commission that allow an event center business, such as The Lavender Marketplace, to continue operating in the residential zone would be a disservice to the residents of Sierra Madre. The Lavender Marketplace is a nuisance, disruptive to the quality of life of its neighbors and it is detrimental to the character of the community.

Don't blur the lines. Continue to restrict retail business to the Business District and keep it out of our residential neighborhoods. Residential zoning should protect the residents of Sierra Madre, not businesses.

Best regards,
Anthony Sweeney

Joseph Nosrat

Subject: FW: Public comment regarding "Lavender Marketplace"

From: Richard Wamboldt [REDACTED]

Sent: Saturday, April 13, 2024 3:56 PM

To: Joshua Wolf <jwolf@sierramadrecal.gov>

Cc: Anthony Sweeney <[REDACTED]>; Maria Decker <[REDACTED]>

Subject: Public comment regarding "Lavender Marketplace"

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

We live on East Laurel near Canon. It is true that we deal with traffic related to Sierra Madre Middle School and to a far lesser extent that of E. Waldo Ward. There appear to be a few Ward employees who park on Laurel near their entrance and some Middle School employees who park on Canon. A few parents who pick up children after school do, occasionally park for short times waiting for the students to walk to their cars. None of these situations including the voices of children during recess is objectionable to us. We do not have and would not want many, perhaps dozens, of cars parked on Laurel for any event that might be held on or near our property along with the foot traffic and noise associated with such events. In short we are opposed to having the City permit the operation of any business that would attract any number of event participants and event support personnel for any such ongoing operation. We have examined the neighborhood on both Olive and Mira Monte and see that curb parking is not restricted and that both streets, with a curb to curb width of about 25 feet, having cars parked on both side, as would likely be the case with a well-attended event, leaves a traveled way of about 12 feet. That looks to us like an impediment to two cars traveling in opposite directions during any such event. In addition the noise level of the gathering from guests and entertainment would likely be objectionable to neighbors adjacent to the event. The fact that the "Lavender Marketplace" site extends from Olive through to Mira Monte does not, as we see it, moderate the impacts of event noise but, does extend the impact of parking for an event to both streets. In summary we are opposed to any business which draws significant traffic to a residential neighborhood, either for events such as those held by "Lavender Marketplace" or any other type of business which would create similar traffic and noise issues being permitted by the City.

Richard Wamboldt and Roberta Lewis, [REDACTED], Sierra Madre

Joseph Nosrat

Subject: FW: Lavender Market business

From: Debbie Willis [mailto: [REDACTED]]

Sent: Friday, April 12, 2024 6:38 PM

To: Public Comment <publiccomment@cityofsierramadre.com>

Subject: Lavender Market business

CAUTION: This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

My name is Debbie Willis, a 36 year resident at [REDACTED] My husband and I are the direct neighbors of 89 Olive. We have witnessed first hand the evolution of the business of Lavendar Market. It has increased from church affairs to a petting zoo in their front yard with sales of crafts and other items to the current affairs of weddings with outdoor gatherings of various sizes. We have witnessed parking problems on the street including a guest who parked in front of our driveway which necessitated a call to the police department. This is a very cohesive friendly neighborhood and an ongoing business is not what the neighborhood wants nor is zoned for. Please stop allowing them to conduct business in our neighborhood. Thank you

They Hijacked Our Street

My family and I moved into Sierra Madre 36 years ago. The sounds of babies and toddlers and families playing were the only sounds on our street. It was a great little street back then. There was very little traffic. Those were a few reasons we wanted a R1 zoned property. The sound of quiet and great neighbors were all we could have asked for.

That's changed. Justin and Kim Brandstater moved in and initially were good quiet neighbors. But now they hold 4 - 5 events a week. They're renting out their property for weddings and parties. Please see a link to their website.

<https://www.lavenderworkshops.com/>

They've hijacked our street and us to make money. Event goers used to park up and down the street. It got so bad Justin and Kim now have them park at a local church and bus them to the house. Who wants a bus going thru their neighborhood throughout the day and night. If a bus is missed we have random men were loitering about, talking loudly and smoking. This is intimidating to all of us. We don't feel safe, especially the elderly who can't take care of themselves if some of these men decide to encroach on our property.

This is taking place in an FAMILY (R-1) ZONE: **HOME OCCUPATIONS**

Residential zoning should protect the residents of Sierra Madre, not businesses. In this zone where there shouldn't be any commercial activities of any kind.

Please help us stop them. I'm all for people making a living but not here. They've HIJACKED our street and without you help we're being held hostage.

Bert Willis



